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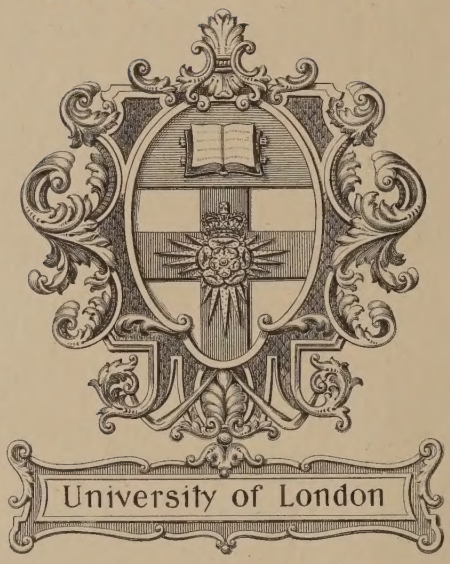

ACCOUNTS AND PAPERS:

TWENTY-EIGHT VOLUMES.

—(8.)—

COLONIES.

Session

12 *December* 1854 —— 14 *August* 1855.

VOL. XXXVII.

1854-55.

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1854-55.

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MR. BROWNRIGG.

RETURN to an Address of the Honourable The House of Commons, dated 24 May 1855;—*for*,

A "COPY of all DESPATCHES and CORRESPONDENCE connected with the REMOVAL of Mr. *J. Stuart Brownrigg* from the Office of POSTMASTER-GENERAL of the Island of *Mauritius*, on the 9th day of June 1853."

Colonial Office,
July 1855.

JOHN BALL.

(*Mr. Alexander Hastie.*)

Ordered by The House of Commons, *to be Printed*,
11 *July* 1855.

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5	The Duke of Newcastle to Governor Higginson.	16 March (34)	Announcing the decision arrived at in this case; Mr. Brownrigg's appointment as Postmaster to be revoked - - -	24
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A COPY of all DESPATCHES and CORRESPONDENCE connected with the REMOVAL of Mr. *J. Stuart Brownrigg*, from the Office of POSTMASTER-GENERAL of the Island of *Mauritius*, on the 9th day of June 1853.

— No. 1. —

(No. 414.)

COPY of a DESPATCH from Governor *Higginson* to the Right Honourable Sir *John S. Pakington*, Bart.

No. 1.
Governor Higginson to the Right hon. Sir J. S. Pakington, Bart.
2 December 1852.

Mauritius, 2 December 1852.
(Received, 23 January 1853.)

Sir,

IT is my unpleasant duty to forward to you a complaint from Mr. Connor, late Chief Clerk in the Post-office of this colony, against Mr. Brownrigg, the Colonial Postmaster-general; together with the explanations of the latter officer; but in order that you may understand the relative positions of these two persons, it is necessary that I should detail the following circumstances.

Marked 1.
Marked 2.

2. On the 22d of May last the Colonial Postmaster-general brought to my notice a document purporting to be addressed to him by his chief clerk, Mr. Connor, and which was nothing less than a challenge to fight. Upon reading this (which is enclosed with other documents presently to be alluded to, and which is marked A.), I directed that Mr. Connor should be dismissed from his situation in the Post-office and be placed on the supernumerary list, for appointment to one of the first suitable vacancies in another department, treating his misconduct more as an ebullition of temper than as an unpardonable offence. Subsequently in the month of June, the Auditor-general brought to my notice, in a letter which I herewith transmit, the existence of several irregularities in the department of the Post-office. He stated that three messengers had, since the year 1845, been borne on the abstracts of the Post-office; whereas two only had *boná fide* existed since that date; that the Postmaster had in the year 1850 applied for an increase of salary for this supposititious messenger. He further reported that he had reason to believe that the Postmaster had made an improper use of furniture committed to his charge. The Postmaster-general in reply to the reference made to him for explanations of these charges, addressed to the Colonial Secretary the letter marked (C.), denying that salary had been paid to any person not *boná fide* employed as an office messenger, but admitting that ever since the year 1844, a man named Jaggoo had been drawing the pay of messenger, in the room of one Pierre Louis, deceased. That Jaggoo had never been appointed by the Governor to replace Pierre Louis, and that the name of the latter had been retained on the abstracts, Jaggoo signing them under the fictitious name of Pierre Louis. While admitting this, the Postmaster-general stated as a palliation of the irregularity, that the abstracts were under the charge of Mr. Connor, the chief clerk, to whom he trusted entirely, and that he was personally unaware of the irregularity. He subsequently transmitted (in the letter marked D.), a declaration from the clerks of his department to the effect that Jaggoo had, to their knowledge, been employed *boná fide* as a peon ever since the death of Pierre Louis, and he also stated in conversation to the Colonial Secretary, that Jaggoo's appointment had been made with the privity and sanction of that officer's predecessor, Mr. Dick.

Postmaster-general.

Auditor, 12 June, marked (B.)

Postmaster-general, 15 June 1852.

Postmaster-general, 17 June 1852.

3. He further in elucidation of his first letter (C.) addressed to the Colonial Secretary the communication marked (E.), denying the statement of the Auditor as to an increase of salary having been granted in 1850 to the messenger, concerning the reality of whose existence the question had been raised, but admitting that he had in that year been promoted to the place of second, from that of third peon. These three letters were referred to the Auditor-general for

report. That officer rebutted the statements of the Postmaster-general, gave extracts from the records of the Audit-office in support of his charges, and stated that the *quasi* peon Jaggoo, was in reality the Postmaster's coachman. This report (marked F.) likewise affirmed the inconsistency of the Postmaster's statements, and the unsatisfactory nature of his explanations, but it did not satisfy me that Pierre Louis or Jaggoo had received any increase of salary beyond that which was naturally involved in his promotion from the third to the second place.

Auditor, 23 June.

4. In justice to the Postmaster-general, whose character was so gravely compromised by these charges, as well as in the interest of the public service, I deemed it necessary to institute a strict inquiry into the alleged irregularities, and named a committee consisting of the Auditor-general, the Receiver of Registration Dues, and the Assistant Colonial Secretary; but as the Postmaster objected to the Auditor being a member of the committee, inasmuch as it was that officer who had brought the charges; and as the Auditor himself was unwilling for similar reasons to serve on the committee, I consented to substitute the name of the Treasurer for that of the Auditor, though still of opinion that the latter was, from his position, the proper officer to conduct the inquiry.

Marked (G.)

5. In the meantime the Auditor-general brought to notice further irregularities in the Post-office.

Marked (H.), 25 June.

1. Omitting to bring to account a sum of 4*l.* received on account of postage.

2. The retention by the Postmaster in his own hands of eight months' arrears of pay due to a convict letter-carrier, for which he had nevertheless furnished the usual monthly acquittances of the party.

6. With these documents the committee proceeded to the task of investigation. But on the first day of meeting the result of the examination of the three Post-office messengers left no doubt on the minds of the members of the committee that two at least out of the three witnesses had been tampered with. In a preliminary report, marked (J.), they stated this their conviction, and recommended the suspension of the peons Louis Joseph and Pierre Baptiste, which recommendation was carried into effect. Some colour, perhaps, was given to this presumption by the letter addressed to the committee by Mr. Brownrigg (*see* Appendix 2 to Report, marked (K.), enclosing evidence of 19 witnesses, either then belonging or having belonged to his department, taken down by himself, of Jaggoo having been always *bonâ fide* employed as a peon. I mention this latter fact, because, though perhaps the result of the proceedings did not bring home to the Postmaster-general the charge of exercising an undue influence over the witnesses, yet in the then state of the proceedings, the fact, taken in conjunction with the contradictory evidence of the two peons, bore a certain significancy, which seemed to call for some remark of disapprobation of the conduct of the offenders.

Committee, 30 June.

7. The committee, after a lengthened investigation, reported their proceedings fully in a document which I enclose marked (K).

Committee, 14 July.

8. The conclusions they arrived at are concisely stated in paragraph 43 of the Report, and I do not know that I need do more than refer you thereto. I enclose further a copy of a minute, marked (L.), conveying my decision upon the result of the inquiry, and which contains my own impressions of the whole transaction. While I considered it my duty to censure Mr. Brownrigg for grave irregularities committed or connived at by him in his department, and compelled him to refund the full amount of Jaggoo's pay for the last six years nine months, I could not but recognise the gross insubordination of Mr. Connor in sending a hostile message to his chief, and the spitefulness of accusations which, but from malignant and interested motives, would never have been preferred. Looking to these motives, therefore, and being subsequently made aware that, whether from defect of education or capacity, or from habits of intemperance, Mr. Connor had notoriously been anything but an efficient chief clerk in the Post-office, as well as feeling it my duty to punish so grossly improper an act as that of which he had in the first instance been guilty, the flagrancy of which was heightened by the sentiments which dictated first the postponement, and next the promulgation of the charges which he made, I dismissed him wholly from the public service.

Jaggoo's unauthorised employment.

9. Subsequently

9. Subsequently to this I received an application from him, in which he begged that a memorial might be forwarded to you to restore him to his place in the Post-office; but this memorial he withdrew. He now again presents it with an explanation of his inconsistency, which I likewise transmit along with Mr. Brownrigg's reply to the allegations which it contains. Supposing Mr. Brownrigg's statement (which is backed by that of his legal adviser) to be correct, it appears to me that Mr. Connor has made his case worse than it was before; and that, looking to the circumstances of his first rupture with Mr. Brownrigg, and to the malignity that dictated the charges which made this investigation necessary, no good reasons have been adduced for reinstating Mr. Connor in the public service, or for imposing a more serious punishment on Mr. Brownrigg than that which he has already undergone for such of the irregularities charged as have been clearly proved against him.

Marked (M.)

Marked (N.)

Marked (O.)

I have, &c.
(signed) *J. M. Higginson.*

Enclosures in No. 1.

Enclosures in No. 1.

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Encl. 1, in No. 1. Mr. *Connor*'s MEMORIAL to the Right Honourable the Secretary of State for the Colonies.

Sir, Mauritius, 28 August 1852.

I HAVE to throw myself upon your kind indulgence for the liberty I take in trespassing on your valuable time.

For the last twelve years I have held the situation of chief clerk in the post-office in this colony, and have every reason to believe that during the whole of that period my conduct in the discharge of my duties has afforded every satisfaction to the head of that department. It is, therefore, with deep concern that I find myself constrained to bring before your notice, transactions, deeply involving the honest discharge of the duties of the Postmaster-general.

I feel it my duty to represent the circumstances as they actually occurred, and to hope that you will view my conduct in a more favourable light, and that I shall experience more lenity from you than it has been my good fortune to receive at the hands of his Excellency, our respected Governor.

In the month of May last, while in the execution of the ordinary duties of my office, I was addressed by my chief in language the most gross and insulting conceivable, and the following day he resorted to a repetition of similar expressions, adding the taunting epithet that I had been guilty of falsehood; stung at this harsh and unmerited treatment, and overcome at the humiliation to which I had been subjected, and that in the presence of a highly respectable merchant of this town, I yielded to my feelings, and without reflection, in a moment of excitement I so far forgot myself as to call upon my chief to afford me personal satisfaction. I candidly admit the impropriety of such a proceeding, and the only excuse I can offer in extenuation, is the extreme provocation I met with.

I deeply deplore the occurrence, and made the only reparation in my power, by apologising to the Postmaster-general, but he proved inexorable, and I was dismissed from the Post-office.

I can attribute this severity to no other motive than a desire to get rid of one who was aware of irregularities which had long been prevalent in his office, it being notorious in this department that the Postmaster-general had for some years past had recourse to practices in which he laid himself open to serious and severe censure. It was known that he had borne on his abstracts, since the year 1845, the name of an office peon, while no such person had been employed in the Post-office; and that he had from that period regularly drawn 1*l.* 4*s.* per month, and in 1850, had actually applied for and obtained an increase of 16*s.* per month to the wages of this imaginary individual.

He clandestinely removed from the Post-office furniture the property of Government, and substituted old furniture in its room.

He foisted on the office an old paper-press for 5*l.* brought from his own residence, not worth 2*l.*

He omitted to bring to account of the public revenue the sum of 4*l.* postage paid by Captain Bowers.

These irregularities reached the ears of his Excellency the Governor, who immediately directed that a Committee of Inquiry should sift the matter; it is not for me to say what is the result of their deliberations, but a rumour is abroad that the Postmaster-general is compelled to refund the sums he so improperly appropriated to himself.

It may not be impertinent to state that the Postmaster-general made an ineffectual attempt to exculpate himself by fastening on me the misapplication of a sum of 4*l.* derived from emoluments, but after making an appeal to a court of law, he found his position untenable, and declined to proceed with the case.

I freely admit and take great blame to myself that I did not report these irregularities in the proper quarter, but I humbly submit that such a course can scarcely be expected from a subordinate, as he must always afterwards be looked upon by his superior with a jaundiced eye, and would necessarily be subject to annoyances which it is in the power of the head of a department so easily to impose upon those under him.

I humbly pray that you will be pleased to take this, my humble petition into generous consideration, and on account of my large family, and upwards of 25 years of uninterrupted military and civil services, be graciously pleased to restore me to my situation in the Post-office, or in some other department.

I am, &c.
(signed) *Cornelius Connor.*

Enclosure 2, in No. 1.

Encl. 2, in No. 1. REPORT from the Postmaster-General, *Mauritius.*

THIS matter having already been fully investigated by a special committee appointed by his Excellency the Governor, the several charges made by Mr. Connor thoroughly sifted, his motives duly appreciated, and his Excellency's decision recorded, I shall endeavour, in exposing the duplicity and falsity of the statements and insinuations so artfully set forth in this memorial, to be as concise in my remarks upon the several paragraphs as the subject will admit of.

Mr.

Mr. Connor's conduct, particularly for the last few years, has been not only most unsatisfactory, but culpable in the extreme; his propensity for drink having so much increased, that if I had not been influenced by Christian feelings, and exercised the greatest forbearance towards him, he would long before have been dismissed from this office. That he was most incompetent for the situation of chief clerk, was so notorious, that his Excellency Sir George Anderson directed that I should be relieved of him at the first fitting opportunity, and since his dismissal, other circumstances have come to light telling strongly against his honesty.

In May last, to which month Mr. Connor particularly refers, I was called upon several times within the short space of a very few days to express my disapprobation of his conduct and reprehensible dereliction of duty.

1stly. In having repeatedly, on mail-day, refused to take in letters, thereby causing serious inconvenience to the public, and much confusion in the office.

2dly. For having written a very improper letter to a mercantile house here, with the view of embroiling me in a quarrel with that house, Messrs. Chauvin & Frères.

3dly. For insolence to myself and others; and—

4thly. For having sent me a most insulting challenge, a copy of which, together with a transcript of my letter to the Colonial Secretary, forwarding that document for the information of his Excellency the Governor. Notwithstanding all such aggravating proceedings on Mr. Connor's part, clearly evincing the state of his mind, diseased through habitual inebriety, I deny most emphatically ever having then, or at any other time, applied to him or any one else language unbecoming a gentleman, and which, I now learn for the first time, he accuses me of. Such is not my habit.

The more I reflected upon Mr. Connor's conduct, the more convinced was I of the impossibility of his re-admission into my office; satisfied from past experience that I would only expose myself to some further insult; those in the department to a continuation of annoyances, and the public to inconvenience; I therefore felt the necessity of answering his application to be reinstated in the negative, a copy of which answer is annexed.

If his application was refused for the reasons he assigns, I have only to point out that all the other clerks (seven), letter-carriers, &c., are still in their places; and as regards the affair of the peon, he, in this instance, also artfully and deceitfully keeps back the fact, that on the dismission, in 1845, of a peon named Pierre Louis, another person, Jaggoo, was appointed in his place by me, with the sanction of the late Colonial Secretary, but that the change of names upon the abstracts had been unaccountably omitted. These abstracts were under the immediate charge of Mr. Connor, and it would now appear that he had a sinister motive in neglecting to rectify that omission; for in a moment of revenge, forgetting that his signature, as attesting witness to salary payments, figures upon the abstracts, and that he always held the pen for the three peons to make their marks, he takes advantage of the afore-mentioned omission, and pretends that, as the man Jaggoo was employed also by me in a private capacity (though out of office hours, a common practice here), he could not be considered a peon. However, it was fully proved by the whole department alone, that the man Jaggoo always performed the duties of a peon, and worked like the other peons. Yet his Excellency disapproving of the employment of a public servant in any private capacity whatsoever, expresses himself on this point as follows:—"It is, however, manifest, that the private duties must have interfered more or less with the public ones, and that the Government could not have got all the labour from its servant for which he was paid, and that his employment as coachman was manifestly improper. I am of opinion, therefore, that the Postmaster-general should be required to refund the whole amount of salary drawn on account of Jaggoo."

This sentence, I must say, I deemed rather a severe one, considering that not one farthing of that money had ever gone into my pocket, and that Jaggoo had always been remunerated by me for any private services rendered; besides that, the Government must have had of Jaggoo's time on an average (allowing for any occasional absence) at least 6½ hours daily out of eight required by the regulations; *vide* Memorandum annexed. But feeling that I ought not to place myself in opposition to the chief of the colony, whom I highly respect, I bowed in submission to his Excellency's decision.

See page 7.

The piece of furniture, a press of a most common-place description, which Mr. Connor alleged I had exchanged (or, as he now says, clandestinely removed), and had at my private residence, was proved to be in the office; where, in my private room, I have always had several articles of furniture, my own property, consisting of armoire tables, chairs, canopies, &c.

No furniture is ever purchased without first being inspected and approved of by two officers of the Surveyor-general's department; and I never sold to Government anything belonging to me.

The cash-books are under the special charge of the chief clerk, whose duty is to enter all monies received, whether paid to himself or to others; and it would appear that a sum due by Captain Bowers was paid to Mr. Connor, but which he neglected to enter or account for. Aware that this would eventually come under my notice, without his having either the means or opportunity of repairing his act, he conceived that his best mode of escaping censure would be to throw his act upon me.

These malignant accusations, be it observed, were never communicated to me. I was consequently in ignorance of the existence until my examination before the committee, when, for the first and only time, I was informed of them. They were, however, easily refuted, or, as his Excellency justly observes, were not substantiated.

Mr. Connor would next have it inferred, that to public rumour only is he indebted for any information as to the result of his revengeful endeavours to injure one, from whom he had always received the greatest indulgence and lenity. But no doubt the same quarter (the Colonial Secretary's office), from whence, on the 21st July last, I derived the official information of the Governor's decision upon the committee's report, must have placed him in possession of, not only the heavy penalty that had been inflicted upon me, but also his Excellency's opinion and decision regarding himself, in the following words, which I extract from his Excellency's minute, under date 19th July 1852:—

"In communicating to the Postmaster-general the above observations, add, that I have not failed to give due weight to the tainted source from which these charges originated, and the spiteful motives with which they have been preferred, and which, if they had stood alone unsupported by other evidence, or uncorroborated by admitted facts, would have been of themselves sufficient to warrant the rejection of his accusations; and that not only is the propriety of the late chief clerk's dismission clearly shown, but also his unfitness for re-employment in any other department. And that I concur in the opinion expressed by the committee, that under the circumstances, if any other charges could have been raked up by his accuser, they would not have been withheld."

The charge of embezzlement of my private monies which I had against Mr. Connor in the district magistrate's court, the hearing of which was twice postponed at his particular request, was subsequently withdrawn, not for the reason given by Mr. Connor, but in consequence of the strong intercession which had been made for him with me; *vide* my letter to the district magistrate of Port Louis, a copy of which is also annexed.

In conclusion, I would observe that Mr. Connor, with all his unmerited evil intentions and malicious endeavours towards me, was only able to show, what I from the very commencement acknowledged and regretted, viz., that the name of Jaggoo ought to have been borne upon the abstract instead of that of Pierre Louis, an omission which clearly did not occasion loss, inconvenience nor injury to any one, and, that Jaggoo, besides being a peon, rendered me certain private services for which he was separately remunerated by me.

(signed) *J. Stuart Brownrigg.*

General Post-office, 24 September 1852.

Copy of the Challenge received on the 21st of May 1852 from Mr. *Connor*.

Sir,

I believe that you are the son of a general officer, and it is natural to suppose that you have something of the spirit of a soldier about you, which I am sure you have. I too have served in the army; therefore in justice to me you can hardly refuse to give me the satisfaction of a soldier, by meeting me on the sod of honour. I believe the usual place is adjacent to the fortress of Fort William, and the hour on or before sunrise.

I am, &c.
(signed) *C. Connor.*

P.S.—If your aim be as true as you boast, and mine the same, there will be no need of a doctor.

Copy of my Letter to the Colonial Secretary, forwarding that Document.

Sir, General Post-office, 22 May 1852.

After my conference with you yesterday respecting my chief clerk, Mr. Connor, whose conduct has been for a long time the cause of much annoyance and trouble to me, I personally communicated the determination he had at last forced upon me, namely, his removal from my office so soon as a situation more suited to him should be found; as he expressed much contrition for his conduct, and acknowledged that he would in no way excuse himself, I was not, as you may suppose, a little astonished at receiving the annexed note, which I think needs no comment. However, I felt after such an offence that I ought not any longer to tolerate his presence in this office, and accordingly intimated to him that I should dispense with his further attendance, and would lose no time in acquainting his Excellency the Governor with his conduct.

May I beg of you to be good enough to represent to his Excellency what I have felt it my duty to do under such circumstances.

Although Mr. Connor does not in any way merit the least favour from me, yet, in mercy to his family, who will suffer through his folly, I would respectfully ask his Excellency's indulgence in his behalf for the first vacant situation that he might be competent to fill.

I have, &c.
(signed) *J. Stuart Brownrigg.*

COPY of my REPLY to Mr. *Connor*'s application to be reinstated in the Post-Office.

Mr. Connor,

I HAVE received your letter of yesterday suing for pardon; had it been a first, nay, a second offence, you might have had some claim upon my forbearance; but you must be well aware of how repeatedly I have been induced, upon your solicitations, to overlook misconduct on your part, but your last insult is of such a nature that all hope to resume your seat in my office is out of the question. Before you had gone such lengths, you should have borne in mind the interests of your family, and that you have now compromised them is no fault of mine; you had warning enough, but all to no purpose. Your habits caused you to constantly forget yourself, and gradually led every clerk in the establishment to lay aside that respect which your position as chief clerk ought to have commanded. This is an additional reason against your return to this office. You well know you have experienced much kindness and indulgence from me, and must therefore be well convinced that nothing but the height of improper conduct could have forced me to the severe measure of suspending you, and laying this matter before his Excellency the Governor, whose indulgence in your behalf for the first vacant situation I have solicited solely on account of your family; but I much doubt if his Excellency will be pleased to listen to anything in favour of a subordinate public officer who could have so far forgotten himself as you have done.

(signed) *J. Stuart Brownrigg.*

General Post-Office, 25 May 1852.

COPY of my LETTER to the District Magistrate of *Port Louis.*

Sir, 14 August 1852.

MR. Connor, late chief clerk in my office, having through two gentlemen, members of the Bar, expressed deep contrition for his conduct towards me, and his earnest entreaty that I would not in mercy prosecute to his utter ruin the charge which I have against him in your court, I have, under such circumstances, coupled with the fact of his dismission from the Government service, and at the intercession of the gentlemen alluded to, consented to withdraw my complaint, and therefore beg of you to be good enough to expunge it from your list of cases.

I have, &c.
(signed) *J. Stuart Brownrigg.*

A copy of this note was sent to the several witnesses who had paid the money,—Messrs. Leishman, Brodie, Chauvin, Richardson & Co., Bernhard.

MEMORANDUM referred to at Para. 5.

DURING six months of the year the office is required to be opened from seven o'clock a.m. to six o'clock p.m., and during the other six months from eight o'clock a.m. to five o'clock p.m. Two hours are allowed for breakfast, so that the average attendance required is eight hours daily, Sundays always excepted.

At half-past nine, or thereabouts, the peon on duty in the early morning is relieved, and, according to arrangement, Jaggoo was the relieving peon, and continued, without interruption for breakfast, at work till five o'clock p.m., and past.

It is very well known that I am most regular in my attendance at office, and remain til very late hours, and never drive about the town during the day; therefore, the very circumstance of Jaggoo acting as my coachman, only proves that he must have been equally regular in his attendance, and on duty till the time of my leaving office.

(signed) *J. Stuart Brownrigg,*
Postmaster-General.

Sir, General Post-office, 25 September 1852.

IN returning the accompanying memorial withdrawn by Mr. Connor on the 10th instant, I have the honour to forward at the same time my observations thereon, which his Excellency the Governor desired to have notwithstanding, to record.

These observations would, ere this, have been sent in, only I understood from his Excellency that there was no hurry.

I have, &c.
The Honourable (signed) *J. Stuart Brownrigg,*
The Colonial Secretary. Postmaster-General.

GOVERNOR'S MEMORANDUM.

30 September 1852.

ALTHOUGH Mr. Connor assigns no reason for asking permission to withdraw his memorial to the Secretary of State, containing accusations against the head of the department from which he has been dismissed, I am aware of no objection to the permission being granted; especially as these accusations have been investigated by a Committee of Inquiry, and orders issued thereupon, which renders further notice of them unnecessary.

I have only further to observe, in reference to the remarks of the Postmaster-general on Mr. Connor's memorial, that some of his conclusions are erroneous, and at variance with the report of the committee; but the matter having been disposed of, I have no desire to re-open it.

(signed) *J. M. Higginson.*

Encl. 3, in No. 1.

Enclosure 3, in No. 1.

(A.)

Sir, General Post-office, 22 May 1852.

AFTER my conference with you yesterday, respecting my chief clerk Mr. Connor, whose conduct, &c., has been for a long time the cause of much annoyance and trouble to me, I personally communicated to him the determination he had at last forced upon me, namely, his removal from my office, so soon as a situation more suited to him should be found. As he expressed much contrition for his conduct, and acknowledged that he could in no way excuse himself, I was not, as you may suppose, a little astonished upon receiving the annexed note, which I think needs no comment. However, after such an offence, I felt that I ought not to any longer tolerate his presence in this office, and accordingly intimated to him that I should dispense with his further attendance, and would lose no time in acquainting his Excellency the Governor with his conduct.

May I beg of you to be good enough to represent to his Excellency what I have felt it my duty to do under such circumstances, and hope that it will meet his Excellency's approval.

Although Mr. Connor does not in any way merit the least favour at my hands; yet in mercy towards his family, who will be sufferers through his folly, I would respectfully ask his Excellency's indulgence in his behalf, for the first vacant situation that he might be competent to fill.

I have, &c.

To the Honourable the Colonial Secretary. (signed) *J. Stuart Brownrigg.* Postmaster-General.

Mr. *Connor* to the Postmaster-General.

Sir,

I BELIEVE that you are the son of a general officer, and it is natural to suppose that you have something of the spirit of a soldier about you, which I am sure you have. I too have served in the army; therefore in justice to me you can hardly refuse to give me the satisfaction of a soldier, by meeting me on the sod of honour. I believe the usual place is adjacent to the fortress of Fort William, and the hour on or before sunrise.

I am, &c.

(signed) *C. Connor.*

P. S.—If your aim be as true as your boast, and mine the same, there will be no need for a doctor.

20 May 1852.

Mr. *Connor* to his Excellency *James Macaulay Higginson*, Esq., C. B., Governor and Commander-in-Chief of the Island of *Mauritius* and its Dependencies, &c. &c. &c.

Your Excellency,

MAY I respectfully be allowed to lay before your Excellency the following facts for your just and high consideration.

The Postmaster-general having, whilst in the performance of my duties at the Post-office, accused me by expressions which I considered unbecoming not only as the head of a department, but also as those of a gentleman, those expressions, which were of the most bitter kind, prevent my repeating them at this moment to your Excellency.

On

On the following day of the above-mentioned occurrence, the Postmaster-general called upon me in the presence of Mr. Jules Chauvin, of the commercial firm of Chauvin, Frères, & Co., and put several questions which gave rise to the preliminary of the previous day's proceedings, and, in the presence of Mr. Chauvin, I was treated so harshly as to be called a liar, and told that I had forfeited my situation by my conduct; and that he would very soon settle the affair. To my great astonishment, I was requested to give over my keys and books to another clerk of the Post-office, which order I considered my duty previous to submitting to, to await your Excellency's decision, in consequence of the severe treatment I had received from the hands of the Postmaster-general, after having been a number of years in the said department, and without cause of blame from the Postmaster-general.

I beg also to state to your Excellency, that if the foregoing circumstances have given rise to any resentment on my part, and if I have been betrayed into any want of proper respect towards my chief, it is because I was provoked to do so by the most insulting language; I therefore rely on your Excellency's consideration, as I am father of a large and young family, almost solely depending upon me for support.

I have, &c.

(signed) *C. Connor*,
Chief Clerk, General Post-office.

23 May 1852.

Sir, General Post-office, 24 May 1852.

Referring to my letter dated 22d instant, reporting for the information of his Excellency the Governor, the gross misconduct of Mr. Connor, and the measure which in consequence I was compelled to adopt towards him; I have the honour to request that you will be pleased to lay before his Excellency, for his further information, the annexed copy of a letter which I subsequently received from Mr. Connor, and my reply thereto.

I have, &c.

The Honourable,
the Colonial Secretary.

(signed) *J. Stuart Brownrigg*,
Postmaster-General.

Mr. *Connor* to the Postmaster-General.

Sir, 24 May 1852.

If you would only accept of an apology, I am ready to crave your pardon even upon my knees, for the gross insult I offered to you in an evil and misguided hour, the chief of my department, whom I should honour and obey. Do not, Sir, destroy my reputation, nor the only means left me for the support of my poor young and motherless family, entirely or nearly depending upon me for support, nor bring down my frail error upon them, otherwise we are ruined and thrown pennyless upon the world. Yield, Sir, to the side of mercy, by pardoning one who should have better sense than attempt or dare to offer insult to you, and you will perform an act of humanity blended with mercy towards my poor orphan family, and a reward will meet you in Heaven hereafter. This appeal, Sir, I make to you as the father of a family, and if granted, you will have the blessings and thanks of my poor family. Oh, Sir, it is human to err, but to forgive divine! Do not, Sir,* an unfortunate and misguided man, who never was your equal, as the world knows, and so much your inferior; show yourself above it by pardoning me, a boon which will never be forgotten.

* So in copy.

I am, &c.

(signed) *C. Connor.*

Postmaster-General to Mr. *Connor*.

Mr. Connor, 25 May 1852.

I have received your letter of yesterday suing for pardon; had it been a first, nay, a second offence, you might have had some claim upon my forbearance; but you must be well aware of how repeatedly I have been induced upon your solicitations to overlook misconduct on your part. Your last insult is of such a nature, that all hope to resume your seat in my office is out of the question.

Before you had gone such lengths you should have borne in mind the interests of your family, and that you have compromised them is no fault of mine; you had warnings enough, but all to no purpose. Your habits caused you to constantly forget yourself, and gradually led every clerk in the establishment to lay aside that respect which your position as chief clerk ought to have commanded. This is an additional reason against your return to this office. You well know that you have experienced much kindness and indulgence from me, and must therefore be well convinced that nothing but the height of improper conduct

would have forced me to the severe measure of suspending you, and laying the matter before his Excellency the Governor, whose indulgence in your behalf for the first vacant situation I have solicited solely on account of your family; but I much doubt if his Excellency will be pleased to listen to anything in favour of a subordinate public officer, who could have so far forgotten himself as you have done.

(signed) *J. Stuart Brownrigg.*

MEMORANDUMS from the Governor and Colonial Secretary.

POSTMASTER-GENERAL.

WHEN I spoke to the Colonial Secretary about Mr. C. Connor, the understanding I think was, that he should be permitted to endeavour to effect an exchange with some one who might be eligible to discharge the duties of chief clerk in Post-office.

26 May. (signed) *J. M. H.*

Note.—Mr. C. Connor has been personally informed, both by myself and Mr. Cummins, that, under the circumstances, he could not be allowed to return to the Post-office; but he would be at liberty to effect an exchange, supposing he could find a person willing to exchange with him, and approved by the Governor.

27/5/52. (signed) *C. J. B.*

Approved.

(signed) *J. M. H.*

Sir, 29 May 1852.

ACCORDING to advice received from you this morning, and on perusing the list of the clerks in the different Government offices, I almost think that I could not find one to exchange with, some being too young and inexperienced, and all the others being older servants than myself, on an equal salary with mine, I am certain would not be disposed to do so. I am, therefore, disposed to leave myself entirely at the mercy of his Excellency the Governor.

I have, &c.

The Honourable the Colonial Secretary. (signed) *C. Connor.*

Mr. *Connor* to His Excellency *James Macaulay Higginson*, Esq., C. B., Governor and Commander-in-Chief of *Mauritius* and its Dependencies.

May it please your Excellency,

I HUMBLY and respectfully beg to state to your Excellency, that in accordance to instructions received by me from the Honourable the Colonial Secretary's office, I have gone through all the various public offices to endeavour to effect an exchange of situations, but without any avail, as none of the clerks, even with a much lower salary than mine, would consent to it.

I most humbly hope, therefore, that your Excellency will be graciously pleased to take my case into your Excellency's kind consideration, as I have no other alternative left now but to confide in your Excellency's clemency and justice, after a period of upwards of 25 years of civil and military services uninterrupted, and in this colony since June 1831; now nearly 15 years in the civil service, and 12 years of that period in the Post-office Department as chief clerk without any blame.

I also must respectfully beg to remind your Excellency that I have a large young and motherless family to support, and entirely depending upon me for their maintenance.

I have, &c.

2 June 1852. (signed) *C. Connor.*

Encl. 4, in No. 1.

Enclosure 4, in No. 1.

(B.)

Sir, Audit Office, 12 June 1852.

1. IT has come to my knowledge, that of the three messengers who have been borne on the Salary Abstracts of the Colonial Postmaster-general since the year 1845, only two have *bonâ fide* existed since that date.

2. The name of the fictitious messenger is Louis Pierre.

3. I have

3. I have also to report that the Colonial Postmaster-general in March 1850 applied for, and obtained promotion and an increase of salary for this individual.

4. I have also reason to believe that this officer, on more than one occasion, has made an improper use of Government furniture committed to his charge.

5. These circumstances induce me to report direct to your Excellency, in order that you may take such steps as the occasion may appear to require.

I have, &c.
(signed) *W. W. R. Kerr,*
Auditor-General.

His Excellency the Governor.

(C.)

Sir, General Post-office, 15 June 1852.

In reply to your letter of yesterday's date, I have the honour to state for the information of his Excellency the Governor, that no salary has ever been drawn for or paid to any individual, except those actually employed in the department, nor am I aware of any peon having received an increase of salary, except in the usual way of changes or promotions, consequent upon retirements or dismissals.

On 2d March 1850, Arthur, 1st peon, left; 2d peon, Louis, and 3d peon, Louis, got each a step thereby, and Dalmazie was appointed 3d.

The salaries, viz.:—

1st Peon	-	-	-	-	-	-	£. 2	3	4	a month.
2d „	-	-	-	-	-	-	2	–	–	„
3d „	-	-	-	-	-	-	1	4	–	„

are the same as when I took charge of the department in 1843, and at no time has fewer been employed than three, the number borne upon the Estimates.

Many years ago, I think in 1844, a peon of the name of Pierre Louis (or more properly Louis) was dismissed on account of irregular conduct, and I believe shortly afterwards died; his place was temporarily filled by one called Jaggoo, whom I however kept on; and through some inadvertence, the name of Pierre Louis was allowed to continue upon the monthly abstracts, a circumstance which I more than once pointed out to the late chief clerk of this department, in order to the necessary correction being made, the abstracts being entirely under his charge; but through some inexcusable neglect on his part, and forgetfulness upon mine, the change of names was never effected.

These are the circumstances of the case, upon which no doubt the unjustifiable insinuation conveyed in the representations made to his Excellency is grounded, but I should hope his Excellency entertains a better opinion of me than for an instant to suppose I would sanction the payment of any salary to any individual not duly giving his services to the department, or countenance the application of any money to any purpose other than the legitimate one.

I now blame myself much for not having looked after the chief clerk more minutely, having been for years fully aware of his incompetency and want of care; obliging me to take upon myself an amount of work that ought not to have fallen upon the head of any department. However, for the future I will take care that an oversight of this kind shall never again occur.

Hoping that this explanation will prove satisfactory to his Excellency, and that his Excellency will be pleased to authorise the substitution of the name "Jaggoo" for that of "Pierre Louis," in the monthly abstracts,

I have, &c.
(signed) *J. Stuart Brownrigg,*
Postmaster-General.

The Honourable the Colonial Secretary.

P. S.—If necessary, the whole of the office can testify to Jaggoo answering to the name of Pierre Louis, doing duty as peon for many years.

(D.)

Sir, General Post-office, 17 June 1852.

With reference to my letter of the 15th instant, in reply to yours of the preceding day, I beg to herewith transmit for the information and satisfaction of his Excellency the Governor, a declaration signed by the clerks of this department, just now presented to me.

I have, &c.
(signed) *J. Stuart Brownrigg,*
Postmaster-General.

The Honourable the Colonial Secretary.

We, the undersigned longest employed clerks in the Post-office, declare that the Indian Jaggoo has been employed in the department as a peon for upwards of seven years, having replaced Pierre Louis, and that during that period he has performed well and faithfully his duties as such.

(signed) *M. Appavon,*
employed since 1st January 1839.
A. Sinnapa,
employed since 1st July 1841.

We also beg to add our testimony to the facts of the peon Jaggoo being in the employment of this department when we joined, and is to the present day doing his duty in that capacity.

General Post-office, 17 June 1852. (signed) *C. Gébert.*
F. Guillard.
A. Charles Marc.
G. de Ch. Dumée.
H. Gagen.

(E.)

Sir, General Post-office, 18 June 1852.

On looking over the copy of my letter of the 15th instant, penned while I was labouring under severe indisposition, I find that I omitted to inform his Excellency the Governor that the peon Jaggoo, or as incorrectly borne upon the abstracts Pierre Louis, never received any increase of salary in 1850. In the commencement of that year there was a change amongst the peons in consequence of Arthur, first peon, leaving; his place was given to Louis, then third peon, on account of his performing the early morning duties. The marginal note in my letter of the 15th, as well as the letter from which it was taken was incorrectly worded, as the only person who benefited upon that occasion was Louis, a fact which I can at any time fully establish by the evidence of the whole establishment.

I never see the abstracts until they are handed to me for signature, and on perceiving that the payments of salaries are attested to, I sign.

On examining the copies of the monthly abstracts previous to 1850, I find a confusion in the names, or rather the arrangement of the peons, Louis figuring as second peon, a place that he never at any time held, nor received the pay of. Whether this displacing of the names was accidental or otherwise, on the part of Mr. Connor, who had, as I have already stated, the entire charge of the abstracts, I do not pretend to say. It has, however, led to the supposition, or make-believe, that I knowingly applied for an increase of salary for the peon Jaggoo, which I most pointedly deny, or that I ever entertained the most remote intention of so doing.

I am fully sensible of the irregularity, and much regret it, as I feel I am to blame in having trusted so much to my chief clerk in such matters; however, no one has suffered thereby the least inconvenience or wrong.

I now beg to assure his Excellency that as a gentleman and a public officer, I have stated nothing but facts, which can be proved at any time, and have therefore to observe, that should his Excellency not feel satisfied with my explanation, I hope he will be pleased to make every inquiry that he may deem necessary, in order that I may clearly prove the contemptibility of the insinuation that has been levelled against me.

I have, &c.
(signed) *J. Stuart Brownrigg,*
Postmaster-General.

The Honourable the Colonial Secretary.

(F.)

Auditor-General's Report, No. 288.

The Colonial Postmaster-general's statements are contradicted by the following facts.

Jaggoo is known to be his coachman.

The chief messenger in his department stated to the chief clerk in this office, in the presence of Mr. Chasteauneuf, another clerk, that there were but two messengers in the Colonial Postmaster-general's Office, himself and his brother.

The Colonial Postmaster, in his letter dated 18th June, states that Pierre Louis, *alias* Jaggoo, never received any increase of salary in 1850, and that Louis was never 2d peon; these statements are at variance with the salary abstracts in this office, extracts of which I have annexed for his Excellency's information.

I also forward copies of letters from the Colonial Postmaster-general, showing that he applied for an increase of salary, with promotion, for Pierre Louis.

The Colonial Postmaster-general admits that there are mis-statements in his first letter, and that he has been guilty of an irregularity; to these I would add that his letters appear

to

to me inconsistent and extremely unsatisfactory. Such being the case, I am of opinion that the matter can only be cleared up, either as regards the interests of the public service, or the vindication of the Colonial Postmaster-general's character, by a searching investigation, which I beg to recommend accordingly.

(signed) *W. W. R. Kerr,*
Audit Office, 23 June 1852. Auditor-General.

Memorandum of the several Changes which have taken place amongst the Messengers of the Post-office since 1843.

Pierre Louis appointed 3d peon on the 1st August 1843, in the room of Alfred Bonhomme, at a monthly salary of 1*l.* 4*s.*; Grain d'Or, 1st peon; Emile Louis, 2d peon; Pierre Louis, 3d peon.

On the 1st of October 1848, Arthur Jean, 1st peon, in the room of Grain d'Or pensioned off; Emile Louis, 2d peon; Pierre Louis, 3d peon.

On the 1st of March 1850, Emile Louis, 1st peon, in the room of Arthur Jean, resigned; Pierre Louis, 2d peon, promoted; Dalmazio Aurelie, 3d peon, from 25th of February.

On the 1st of September 1851, Emile Louis, 1st peon; Pierre Louis, 2d peon; Pierre Jean Baptiste, 3d peon, in the room of Dalmazio Aurelie, resigned; and the establishment continues so up to the present time.

(signed) *W. W. R. Kerr,*
23 June 1852. Auditor-General.

(G.)

Sir, General Post-office, 25 June 1852.

Having learned that the Auditor-general is to be a member of the committee appointed to meet at this office, I have the honour to observe that, as that officer has got up the case, and must therefore be considered a prejudiced person, I would respectfully submit for his Excellency the Governor's consideration, that some other gentleman should be appointed in his place.

I have, &c.
(signed) *J. Stuart Brownrigg,*
The Honourable the Colonial Secretary. Postmaster-General.

(H.)

Sir, Audit Office, 25 June 1852.

Referring to my letter dated the 12th instant, addressed to his Excellency the Governor, reporting certain irregularities in the Colonial Postmaster-general's Department, I have now the honour to state that since the above was written, the following further irregularities have been brought to my notice.

1st. That the Colonial Postmaster had not brought to account in the early part of June a sum of 4*l.*, received by him for postage from Captain Bowers in March last.

2d. That only on Monday last he paid a convict courier named Kishna eight months' arrears of pay, which he, the Colonial Postmaster-general, drew monthly from the Treasury, and for which he produced the receipt of the party.

Such is the information I have received, and although I cannot vouch for the truth of it, I think it my duty to lay it before his Excellency, in order that this subject, as well as the alleged misappropriation of office furniture, may be brought before the committee ordered to inquire into other irregularities in that department, should his Excellency think fit.

I have, &c.
(signed) *W. W. R. Kerr,*
The Honourable the Colonial Secretary. Auditor-General.

(J.)

Committee's Report to his Excellency the Governor.

May it please your Excellency, Port Louis, 30 June 1852.

The committee appointed by the Colonial Secretary's memorandum of the 25th instant, to inquire into certain irregularities represented to his Excellency as existing in the Post-office, have the honour to submit the following preliminary report to his Excellency the Governor.

The committee met yesterday and examined three witnesses, viz., the three peons of the Post-office, Louis Joseph, Pierre Baptiste, and Jaggoo.

The first two, notwithstanding repeated warnings, gave false evidence upon several points, especially on one of importance, denying a fact of which they must have been perfectly cognizant, and which has been admitted by Jaggoo, and by the Colonial Postmaster-general himself.

It was evident that both of these witnesses had been tampered with, and one of them acknowledged that he had been tutored by Mr. Brownrigg as to the evidence he was to give before the committee.

The committee also enclose, for the information of his Excellency, a letter which they received yesterday from Mr. Brownrigg, upon which, for the present, they abstain from expressing their opinion, but which will enable his Excellency to judge of the difficulties that the committee are likely to encounter in carrying on their investigation.

Under these circumstances, the committee consider that, in order to enable them to elicit the truth from the other witnesses whom they will have occasion to call, some notice should be taken of the conduct of the witnesses, Louis Joseph and Pierre Baptiste, and they recommend that both should be suspended.

The committee deem it necessary to abstain from the further prosecution of their inquiry until his Excellency's pleasure on the above suggestion has been communicated to the parties or to the committee.

(signed) *Rawson W. Rawson*,
Treasurer and Paymaster-General.
T. S. Kelsey,
Receiver of Regn Dues, &c.
R. Y. Cummins,
Assistant Colonial Secretary.

(K.)

Committee's Report to his Excellency the Governor.

May it please your Excellency, Port Louis, 14 July 1852.

The committee appointed by the Colonial Secretary's memorandum of the 25th ultimo, "to inquire into certain irregularities represented to his Excellency as existing in the Post-office," have at length completed their investigation, having examined 19 witnesses, and re-examined 13 of these, and have the honour to submit the following report.

2. The committee regret to state that they have experienced much difficulty in the prosecution of their labours; that they have received much contradictory and reluctant testimony; that from the inferior class of witnesses, especially the peons whom the Colonial Postmaster-general has requested the committee to examine, they have received positively false statements; and that on the whole, the evidence is so conflicting as to induce the committee to submit a statement of such facts as they have been able to elicit, and of the material statements and counter-statements which have been made to them, in order that his Excellency may himself judge of these, and of the correctness of the committee's inferences.

First Charge.

3. With regard, 1st., to the peon, Pierre Louis, alias Jaggoo:

Mr. Brownrigg was appointed Colonial Postmaster-general on 1st July 1843. He resided for two years in the building in which the business of the Post-office was carried on.

4. On 29th July 1843, he applied for the appointment of "Pierre Louis," vice "Alfred Bonhomme," the third peon.

5. Mr. Connor, late chief clerk in the Post-office, states that this Pierre Louis was Mr. Brownrigg's private servant, and that his salary was handed over to Mr. Brownrigg with that to which he was entitled as postmaster-general. Mr. Brownrigg positively denies this. Mr. Brownrigg states that he found the man there, and that he did not appoint him. His recorded letter proves this to be incorrect; but the mistake may proceed from an imperfect recollection of the circumstances.

6. The salaries of the three peons were, and continue to be, first, 2 *l.* 3 *s.* 4 *d.* per month, second, 2 *l.* per month, third, 1 *l.* 4 *s.* per month.

7. In April 1845, Mr. Brownrigg obtained the Governor's sanction for the appointment of Louis in the place of Emille Louis, the second peon, who was ill, and subsequently died. From that date until March 1850, Louis figured as second peon on the abstracts of the office, and Pierre Louis as third, in conformity with the authority given for their appointments.

8. Mr. Brownrigg now states that Louis has never been second peon; that on the above occasion he promoted Pierre Louis as second, and made Louis third; that his letter of the 7th April 1845 was incorrect, and that the abstracts were made and continued wrong, to make them square with the authorities.

9. In confirmation of part of this statement, Connor and Appassamy Sinnapa, the present pay clerk, state that Mr. Brownrigg gave orders that Louis was to receive only 1 *l.* 4 *s.*, and that the 2 *l.* was to be given to Jaggoo, who afterwards represented Pierre Louis, but on the other hand it is asserted by the same parties that Pierre Louis never got more than 1 *l.* 4 *s.*

10. Between these conflicting statements it is impossible to ascertain the truth; Pierre Louis is not to be found; the Colonial Postmaster-general has laid himself open to the charge

of

of receiving the difference by the irregularity which he has permitted to exist in the abstracts.

11. Some while later in 1845, about the month of September, Pierre Louis left, or was dismissed; upon which Mr. Brownrigg brought into his place, without obtaining the Governor's sanction, or reporting the change, a man named Jaggoo, who had been his groom and servant for more than a year and a half; this man figured on the abstracts up to March 1850, as Pierre Louis, third peon, receiving 1 *l.* 4 *s.*; Louis figured as second peon, receiving 2 *l.*; it is now stated that Louis received only 1 *l.* 4 *s.* and Jaggoo, 2 *l.*

12. After much prevarication on the part of Jaggoo and the pay clerk, it has been ascertained, and since admitted by Mr. Brownrigg, that the 2 *l.* a month has been regularly handed over to the latter, with his own pay, almost from the time of Jaggoo's assumption of Pierre Louis's place. In explanation it is stated that it was done at Jaggoo's request, in order that his savings might be secure in Mr. Brownrigg's hands; Jaggoo states, and Mr. Brownrigg acknowledges, that he has a considerable sum, 120 rupees or more, of the former's salary in his hands. Connor, and Dogherty, formerly a clerk in the Post-office, assert that the man has complained of not being able to get his salary from Mr. Brownrigg; this is denied by Mr. Brownrigg, and the man himself.

13. In March 1850, Mr. Brownrigg reported to the Governor, on the first peon leaving, that "he had promoted as a matter of justice the second peon Louis as first, and the third peon, Pierre Louis, as second;" he now states that this letter was incorrect; that Louis was third; and Jaggoo, the representative of Pierre Louis, was second; and that his intention was to raise Louis over Jaggoo, because he attended at an early hour to open the office.

14. This is contradicted by Connor and by Dogherty, the clerk, who copied the letter; Mr. Brownrigg admits that he drafted the letter desiring the names to be filled in; he alleges that they were filled in wrong; this is inconsistent with the fact that he perused and corrected the letter before he signed it, and that any change in the filling up of the names would not have made any change in the construction and obvious meaning of the letter.

15. It has been pretended that Jaggoo has been known as generally by the name of Pierre Louis as by his own; but this is not borne out by any evidence on which the committee can place reliance.

16. With regard to the employment of Jaggoo as a peon in the Post-office, the most contradictory evidence has been given; it has been admitted, among other witnesses by Mr. Brownrigg himself, that he has been more or less constantly employed as Mr. Brownrigg's coachman, and that he has worn, more or less habitually, Mr. Brownrigg's livery. Even this however was stoutly denied by Jaggoo and the other two peons, until the latter was suspended, on the former report of the committee.

17. All the witnesses who are in the Post-office, or who have been in communication with Mr. Brownrigg, state that Jaggoo has attended and been regularly employed as a peon in the office, but the greatest discrepancies exist in their testimony as to the hours of his attendance, and the nature of his work; on the other hand, all the witnesses who have ceased to be connected with the Post-office, or who have never been connected with that office, assert either that he never was employed as a peon, or that they have never known him as anything else than Mr. Brownrigg's coachman. Amidst this diversity of assertion, the strongest and most impartial evidence is that derived from the record of daily attendance, from which it appears that during the four years 1848 to 1851 he was not once registered as absent, a degree of regularity which is obviously inconsistent with probability.

18. The committee infer from this, and from all that has come before them, that as the pay of a peon was drawn for the man, he may have been required to attend, and do some work in the office in that capacity; but that he has not been employed regularly as an ordinary peon; that he has not been considered subject, as the others, to regular attendance; and that whereas Mr. Brownrigg paid him regular wages as his servant before he was appointed a peon, six dollars a month, according to the man's statement, he has since obtained similar services from him, at the rate of three to five dollars every two or three months, saving thus his own pocket at the expense of the Government; now it is generally stated and admitted by Mr. Brownrigg that the man is stupid and unintelligent, although very honest; and that he is unfit to be entrusted with the distribution of official letters, which has been given as the reason for his not having been so employed; it is therefore very doubtful whether he ought to have been retained so long as a peon on the high salary of 2 *l.* and whether he would have been so retained, if he had not also served as Mr. Brownrigg's coachman.

Appendix, No. 1.

19. Upon the irregularities in the abstracts, the alleged incorrectness of Mr. Brownrigg's letters of 7th April 1845, and 2d March 1850, and the substitution of Jaggoo for Pierre Louis without authority, it is unnecessary to offer any comment.

20. With respect to a previous observation, referring to the evidence given by persons under Mr. Brownrigg's influence, the committee consider this a proper place to bring to his Excellency's notice the fact, elicited in evidence and admitted by Mr. Brownrigg, that the certificate of his clerks as to the employment of Jaggoo as a peon, submitted to his Excellency in his letter of the 17th June, was not only prepared at his suggestion, but was corrected and altered by himself, as he was not satisfied with the certificate as first drawn up and signed. In the same manner the declarations, enclosed in his letter of 28th June to the committee, were taken by Mr. Gebert, the present chief clerk, Mr. Brownrigg having taken or sent the parties to him for that purpose. The committee will now express their disapproval of the above letter, its object being to prejudice them against two persons whose names had not then appeared in the matter, and whose characters it would have been

Appendix, No. 2.

time enough to impugn when the committee were found to have examined them, and to have placed reliance upon their testimony.

21. The committee do not hesitate to assert that the interference of Mr. Brownrigg in forestalling the evidence of the witnesses whom the committee were likely to examine, has been one chief cause of the difficulties which they have experienced and of the untruths which have been told to them. As it was quite unnecessary for the eliciting of truth in a clear case, it naturally suggests the idea of there having been something to conceal.

Second Charge.

22. The next charge preferred against Mr. Brownrigg is, that when the Post-office was removed from the Place d'Armes to Government-street, Mr. Brownrigg took away a handsome armoire, and substituted an inferior one belonging to himself for it.

23. This rests upon the assertions of Mr. Connor and Dogherty. The former having been taken by Mr. Cummins to Mr. Brownrigg's office, asserts that the armoire has been restored since he left the office; and Mr. Brownrigg admits that there has been a change of books from one armoire to another in his room; but he denies that he ever took an armoire away belonging to the Government, except on one occasion, when it was taken by mistake, and restored when it was discovered. He has had and removed an armoire and other furniture belonging to his sons-in-law, and he has several pieces of furniture of his own now in the office. None of the other clerks or peons admit having seen the change or remarked any difference; and Mr. Dumée, a clerk in the Post-office, asserts that he helped to remove the very armoire from the room lately occupied by Mr. Brownrigg to his present room, before Connor left the office.

24. This charge therefore is not substantiated. The committee, however, considering the ease with which such a charge may both be made and evaded, recommend that all furniture belonging to the Government should be branded, according to the practice of the Ordnance.

Third Charge.

25. The next charge is, that Mr. Brownrigg, in 1849, sold to the office an armoire belonging to himself, and had the bill made out in a clerk's name.

26. It is true and admitted that an armoire was brought from Mr. Brownrigg's house, and sold to the Government for 5 *l.*, and that the bill was made out and receipted in the name of Montousamy Appavon, the second clerk in the office.

27. Mr. Brownrigg states that the armoire belonged to his brother-in-law, Mr. Newnham, who was living with him at the time, and who arranged the matter with Mr. Connor, but who did not wish his name to appear on the occasion; that it was examined and approved by an officer of the Surveyor-general's department, which is true, and was worth more than the price paid for it. He says that he did not know how the bill was made out.

28. Mr. Connor asserts that he had no communication with Mr. Newnham, who could have had no scruple about his name appearing, as a few months before he had sold furniture to the office, and signed the bills, which is true; that he only knew that the armoire came from Mr. Brownrigg's house, and that he handed the 5 *l.* to Mr. Brownrigg.

29. It is unnecessary to comment on the impropriety of the transaction in its most favourable light, and on the irregularity of the bill being made out in the name of a subordinate in the office.

30. The committee have to report unfavourably on the conduct of this clerk, who, in his examination upon this point, would not give the committee any information, and gave his evidence generally in a most unsatisfactory manner. They are very little better satisfied with the evidence given by Appassamy Sinapa, the third clerk.

Fourth Charge.

31. The next charge is, that Mr. Brownrigg received 4 *l.* for postage from Captain Bowers, in March last, and had not brought it to account.

32. The committee have not been able to satisfy themselves as to the party by whom this money was received, but there is evidence of irregularity and negligence on the part both of Mr. Brownrigg and Mr. Connor.

33. The latter has been allowed, without sufficient control, to keep an account of the postage due by the Governor, his Excellency's staff and six or eight of the principal public officers, whose accounts were sent in periodically, and the payment brought to account in the cash-book when made. Mr. Connor kept the cash-book.

34. On 28th January last, Captain Bowers sent 40 rupees in payment of his bill of 4 *l.* 0 *s.* 2 *d.* Mr. Marc, a clerk in the post-office, received this. At first he stated, unhesitatingly, to the committee, that he had paid the money to Mr. Connor. A note occurs in Connor's book of 4 *l.* having been paid to Mr. Brownrigg by Marc. On Marc being confronted with Mr. Connor, he was unable to assert positively that he paid it to Connor, although he still believed that he had done so. He made a statement, however, which was disproved by the person who paid the money for Captain Bowers; his memory, therefore, may have failed him alike in both cases. Mr. Brownrigg denies having received the money, and remarked, with reason, that he would have noticed so large a payment in rupees (which could only have been received by favour), if it had been made to him.

35. The

35. The committee are unable to express an opinion as to the person by whom the money was received, but Mr. Connor is to blame for not having made inquiries of Mr. Brownrigg when, as he states, he knew that the money was paid to him, since it was his business to enter the payment in the cash-book.

36. Mr. Connor also admits to have received, in February and April last year, from Mr. Rawson two sums of 16*s.* 2*d.* and 1 *l.* 1*s.* 11*d.*, and to have neglected the entry of them. He states that he paid them to Mr. Brownrigg, who denies all knowledge of them.

37. From the absence of any proper check over these few private accounts, or any record of the receipt of monies from Mr. Connor, the payment or non-payment, the receipt or non-receipt, rests entirely upon the assertion of the parties. The suspicion lies against Mr. Connor, as he neglected to bring this to account in the cash-book; but Mr. Brownrigg is to blame for not having exercised greater and more regular control over these accounts. He states that he has since brought the above three sums to account, and paid in the amount of them.

38. In the course of their inquiry into this charge, it has come under the observation of the committee that the Colonial Postmaster-general and his predecessor have received certain annual fees from merchants; viz. 1 *l.* for having a separate box in the office, and 5 *l.* 5*s.* for being allowed credit until the end of the month, which fees are not received under any regulation of the Government, nor are reported to have been received in the annual return made for the Blue Book. The fees themselves appear to be unobjectionable. Their appropriation may be a matter for consideration.

39. As the accounts of the Post-office are very complicated, Mr. Brownrigg states that 80 books are kept in it, and as it is difficult to establish an effectual check on the persons employed in it, the committee recommend a committee of inquiry to ascertain whether the present system requires, or will admit of simplification or improvement.

Fifth Charge.

40. The last charge brought forward is, that Mr. Brownrigg had retained the pay of a convict courier, named Kishna, during six or eight months, and had only paid him when this inquiry was instituted.

41. The man in question was ill and absent from the office several months; Mr. Brownrigg instead of sending him his pay, or returning it to the Treasury, received and laid it aside, desiring the pay clerk to make the man's mark in the abstracts. The amount was only 4*s.* a month.

42. This was a blameable irregularity, involving the pay and witnessing clerks in repeated acts of dishonesty; but the committee acquit Mr. Brownrigg of any intention of misappropriating the money so paid.

43. From the above, it would appear that with regard to the first charge there have been great and very blameable irregularities on the part of Mr. Brownrigg. § 3 to 21.

With regard to the second charge, it has not been proved. § 22 to 24.

With regard to the third, there has been a highly blameable irregularity. § 25 to 28.

With regard to the fourth, there is no proof of Mr. Brownrigg having received or misappropriated any money, but there is a proof of the absence of a proper check over Mr. Connor's account book; and there has been great neglect, if not some peculation on the part of Mr. Connor; and lastly, with regard to the fifth charge, there is no proof of a dishonest intention on Mr. Brownrigg's part, but there is a proof of great irregularity in the mark of a man being made to the abstracts for a considerable number of months, although the money was not paid to him at the time. § 31 to 37. § 40 to 42.

44. Before concluding, the committee would remind his Excellency that two of the peons are under suspension for their false evidence. As these are not the only witnesses open to the same charge, as it is impossible to say how far they may have been under the influence of Mr. Brownrigg, and as their ignorance and want of education present some extenuation of their misconduct, the committee suggest that they should be allowed to resume their situations, with the stoppage of a month's pay. The same remarks apply to Jaggoo; but as all the evidence unites to show that he is an inefficient person for the duties of peon, they recommend that he should not be allowed to continue in that office in the department.

45. It is but justice to Mr. Brownrigg to observe, that as these charges appear to have originated with Mr. Connor, and to have proceeded from spite on his part, there is reason to suppose that they are the worst, and only charges he could bring against Mr. Brownrigg; that he has himself been a party to them by so long concealing the facts, and that the charges of inebriety and misconduct in the office brought against him by Mr. Brownrigg, have been confirmed by the evidence of the principal clerks in the department.

All which is respectfully submitted.

(signed) *Rawson W. Rawson,*
Treasurer and Paymaster-General,
T. S. Kelsey,
Receiver of Regist. Dues.
R. Y. Cummins,
Assistant Colonial Secretary.

Appendix No. 1.

STATEMENT of the Absences of the Post-office Peons, from January 1848 to January 1852.

	1848.	1849.	1850.	1851.	1852.
	Days.	*Days.*	*Days.*	*Days.*	*Days.*
Louis - - - - - -	10	11	13	3	—
Grain d'Or - - - - -	11	—	—	—	—
Arthur Jean, joined 2 Oct. 1848 - -	- -	15	5 dismissed 9 Feb.	—	—
Dalmazie, from 3d March 1850 - -	- -	- -	10	7	—

A peon named Pierre was present in 1851 on the following Sundays, 7th and 14th September, 12th and 19th October, 9th November, 21st December, and in 1852 on the 4th January.

Appendix No. 2, and its Enclosures.

Gentlemen, 28 June 1852.

I HEREWITH lay before you a list of witnesses (19), who can testify to the fact that the man Jaggoo has been for years working in this department as a peon.

I at the same time beg your attention to the accompanying declarations, particularly one made by Mr. Velvindron, formerly a clerk in this office; that Mr. Connor had promised him a reward if he would appear for him, and another made by the peon Louis, showing that intimidation had been resorted to.

As character and respectability are points of great weight, under any and every circumstance, I beg to observe, that the dismissed clerk Connor lost his situation through gross and continued misconduct, viz., habitual inebriety, intolerable insolence towards myself and others, and finally, the unprecedented insult offered me on the 21st of May last, in having sent me a challenge; and he is moreover dishonest, for I have been obliged to take proceedings against him in the courts before Mr. Demarais, for having taken up from several parties monies due to me, and for embezzling the same; such, gentlemen, is the character of the individual from whom emanates the false and vindictive representations that the peon Jaggoo is not an employé of this department, because his name was omitted to be entered upon the abstracts, in place of Pierre Louis.

I understand that he intends producing on his part, a witness of the same stamp as himself, named Dogherty, another clerk, some time since dismissed by me for habitual drunkenness and insolence.

All in the department, and many out of it, can, if necessary, vouch for the correctness of the statement.

I have, &c.
(signed) *J. Stuart Brownrigg.*

To the Honourable
Rawson W. Rawson, Esq.,
Thos. Kelsey, Esq.,
R. Cummins, Esq.

COPY of a CHALLENGE received from the Clerk *Connor*, about four o'clock p.m., on the 21st of May last; original sent to the Governor.

Sir,

I BELIEVE that you are the son of a general officer, and it is natural to suppose that you have something of the spirit of a soldier about you, which I am sure you have. I too have served in the army; therefore in justice to me you can hardly refuse to give me the satisfaction of a soldier, by meeting me on the sod of honour. I believe the usual place is adjacent to the fortress of Fort William, and the hour on or before sunrise.

I am, &c.
(signed) *C. Connor.*

P. S.—If your aim be as true as your boast, and mine the same, there will be no need of a doctor.

LIST

List of Witnesses.

Clerks,	Mr. Camille Gebert - - - - - -	February 1850
„	Moutoussamy Appavon - - - - -	January 1839
„	Appassamy Sinapa - - - - -	January 1841
„	Jules Guillard - - - - - -	May 1847
„	Albert Marc - - - - - - -	May 1851
„	Gustave Dumée - - - - - -	August 1851
„	Henry Gazen - - - - - -	January 1849

Letter Carriers; William Gandy, Richard Becket, John Murnane, Fornin Arokion, A. Ayassamy.

Peons; Louis, Jaggoo, Teirie.

Mr. Guillard Père; Mr. Velvendron, formerly clerk in this office; Grain d'Or, formerly peon; Karrim, formerly courier, and any of the couriers in the habit of bringing mails to the office.

STATEMENT made this 26th day of June 1852, by the Peon Louis.

YESTERDAY morning Mr. Dougherty, late clerk in this office, came into the yard, and addressed me as follows: "Who is the clerk on duty"?—"I do not know who is the clerk, and moreover, I have nothing to do with you."

"Do you know any thing new about the affair?" At the same moment Mr. Connor entered, and I answered Mr. Dougherty, that I did not know what he meant by the affair.

Mr. Connor then said to me, "Do you not know that I have preferred a complaint against Mr. Brownrigg, and that you will have to swear on your oath that Jaggoo was never employed as peon in the Post-office?" Then I answered, that I did not know how he could say so, since Jaggoo has always been employed as peon, and what is more, by himself, for his private messages.

"I have heard that Dalmazie and Grain d'Or have been here; what did they say?"—"I know not." Then Mr. Connor said, "You had better not tell lies, especially that Jaggoo is employed in the Post-office." "I will not tell any lies, but say the truth, and nothing but the truth, especially about your concerns;" upon which Mr. Connor said, "Well, say nothing, and remain quiet." Both Mr. Connor and Mr. Dougherty then went away, and, as I observed, drunk. I will add, that a few days ago, whilst standing at the gate, Mr. Connor junior, upon seeing me, came up and said to me, "You had better say the truth, for you may depend upon it Mr. Kerr will get you turned off." On my not answering him he went away.

Mark of *Louis.*

Witness to the mark and statement.

(signed) *G. de Ch. Dumeé.*

STATEMENT made this 26th of June 1852..

ON Wednesday last, at eight o'clock in the morning, I went to Mr. Moutoussamy's house to see him, when I saw Mr. Connor in private conversation with him (Moutoussamy); he told me, at seeing me, "Wait a while, I have to speak to you;" when he started, he addressed me as follows:

"I have been fined by Mr. Brownrigg about a month ago, and I am to fine him myself in a few days, and I shall want you to serve me as a witness, and you will be handsomely rewarded; and when I will have fined Mr. Brownrigg we will go on a part together at Montagne Longue; I will tell you what you must state for me in my favour; I will come to see you about this, when I will require your statement," and he then went away.

Moreover, Mr. Connor told me that he had Dougherty, Grain d'Or, and Arthur as witnesses in his favour.

I declare the above statement true and correct.

Port Louis, 26 June 1852. (signed) *A. Sinnapa.*
C. Gibert.

Witness to the signature and declaration.

(signed) *J. Velvindron.*
J. Guillard.
G. de Ch. Dumeé.

STATEMENT made this 24th day of June 1852 by the Creole *Dalmazie*, formerly employed at the Post-office.

THAT on Tuesday last he was met in Government-street by a peon of the Audit-office, who told him that Mr. Schellebeck wanted him at his office; that he went to the Audit-office where Mr. Schellebeck questioned him as follows :—

"Have you ever been employed at the Post-office; what was your pay?
"Has Jaggoo been employed as a peon at the Post-office?" to which he answered,—
"I was a peon at the Post-office, with a pay of 1 *l.* 4 *s.*; during the time I was in the Post-office, Jaggoo was employed as a peon;" Mr. Schellebeck then told him you have told a lie in stating that Jaggoo was a peon at the Post-office.

Mark of *Dalmazie.*

Witness to the mark and declaration.

(signed) *J. Guillard.*

STATEMENT made this 26th day of June 1852 by the Peon *Pierre.*

A FEW days ago the man Arthur, formerly a peon in the Post-office, came into the yard, and had a conversation with me; he then told me that he had seen Mr. Schellebeck, who asked him whether he knew Jaggoo to be a peon at the office; that he said Jaggoo was not.

Jaggoo, who was present, asked him if he had not known him to be a peon; then Arthur said, "I have seen you very often carrying out letters; but I did not know you as a peon.

"At all events, I will declare that you are not a peon of the Post-office, and this because I well recollect that Mr. Brownrigg once stopped my pay, and of course I will speak against him."

Mark of *Pierre.*

Witness to mark and statement.

(signed) *J. Guillard.*
M. Apparon.
J. Murnane.
C. Gebert.
W. Gandy.

(L.)

GOVERNOR'S MINUTE.

HAVING carefully considered the report of the committee appointed to investigate certain official irregularities alleged to have been committed by the Colonial Postmaster-general, it becomes my painful duty to record my opinion of the explanations offered by that officer, which I consider to be unsatisfactory. Amidst such conflicting evidence and reluctant testimony, it is hardly possible to get at the whole truth; but facts sufficient have been elicited, and indeed admitted by the Postmaster-general himself, to convict him of grave and reprehensible irregularities, and to produce an unfavourable impression of the looseness and disorder with which certain of his duties have been conducted.

First, in regard to the man Jaggoo, Mr. Brownrigg's proceedings from first to last appear to have been most irregular and unaccountable. He had been for a year or more previously Mr. Brownrigg's private servant, and was on the occurrence of a vacancy borne on the pay abstracts as an office peon, but under an erroneous name, without any authority having then or subsequently been obtained for the appointment, and continuing to act as coachman to Mr. Brownrigg, and to wear his livery, whilst pay was drawn monthly for him from the treasury, and paid to Mr. Brownrigg. It is alleged that notwithstanding Jaggoo's acting as Mr. Brownrigg's coachman, he attended regularly at office as peon; and this is as stoutly denied; it is however manifest that the private duties must have interfered more or less with the public ones, and equally so that his employment in the former was unauthorised and open to abuse. Whether Mr. Brownrigg's own pocket, as is alleged, benefited by this irregularity, or only that of Jaggoo, it is equally certain that the Government did not get all the labour from its servant for which he was paid, and that his employment as coachman was manifestly improper. I am of opinion that the Postmaster-general should be required to refund the whole amount of salary drawn by him on account of Jaggoo, and that this man should be discharged, more especially as he is stated to be incompetent and unfit to be entrusted with the distribution of official letters.

The inaccuracies in the pay abstracts, and in the letters referred to, appear unaccountable, and quite inconsistent with the attention and care required from the head of any department.

department. And I consider the forestalling of the evidence by Mr. Brownrigg as objectionable, and by no means required, as observed by the committee, for the eliciting of truth, or in a case where there was nothing to conceal.

The remaining charges are not in my opinion substantiated, though I cannot approve of the sale of the armoire to Government in the manner stated, and on the investigation of the charge of having received and not brought to account certain monies paid by Captain Bowers, a want of adequate check and control over the so-termed private accounts is clearly established. The receipt by Mr. Brownrigg also of the sick courier's pay, and the causing a fictitious mark to be made in the abstracts purporting its actual payment, was in my opinion, whatever may have been the circumstances that led to it, or the prevailing custom in like cases, open to objection.

In communicating the above observations to the Postmaster-general, add, that I have not failed to give due weight to the tainted source from which these charges originated, and the suspicious and spiteful motives with which they have been preferred, and which, if they had stood alone, unsupported by other evidence or uncorroborated by admitted facts, would have been of themselves sufficient to warrant the rejection of his accusations; and that not only is the propriety of the late chief clerk's dismission clearly shown, but also his unfitness for re-employment in any other department, and that I concur in the opinion expressed by the committee, that under such circumstances if any other charges could have been raked up by his accuser, they would not have been withheld.

I approve of the suggestions contained in paragraphs 24, 38, 39 and 44 of the committee's report, and I beg that my acknowledgments may be conveyed to them for the care and labour bestowed on the delicate and disagreeable duty entrusted to them.

I conceive too, that the Auditor-general would have failed in his duty if he had not communicated to the Government the allegations made to him of the existence of gross irregularities in the Post-office.

19 July 1852. (signed) *J. M. Higginson.*

Enclosure 5, in No. 1.

(M.)

To His Excellency *James Macaulay Higginson*, Esq. C. B. Governor and Commander-in-Chief of the Island of *Mauritius* and its Dependencies, &c. &c. &c. Encl. 5, in No. 1.

May it please your Excellency,

I BEG leave respectfully to entrust to your care a petition which I shall feel obliged to your Excellency to forward to the Right honourable the Secretary of State for the Colonies.

In transmitting this document to its destination, I shall rely on your Excellency's known generosity of mind not to prejudice me, in any remarks you may feel it your duty to make, in the estimation of the Secretary of State.

I am, &c.

28 August 1852. (signed) *Cornelius Connor.*

(N.)

His Excellency *James Macaulay Higginson*, Esq. C. B. Governor and Commander-in-Chief of the Island of *Mauritius*, &c. &c. &c.

May it please your Excellency,

IN returning my petition to your Excellency's hands, with the request it may be forwarded, I feel sensible of the appearance of inconsistency which I exhibit, and in explanation I most respectfully beg to state, that I was induced to this course solely by the representation of a gentleman, who I find is Mr. Brownrigg's legal adviser, and who addressed himself to me on behalf of that gentleman.

He represented to me, that my object of getting restored to the public service would be much better ensured by my withdrawing my petition, and that on this condition, Mr. Brownrigg would immediately interest himself with your Excellency in my behalf; and he expressed his conviction, that my object by this means would be attained, and as I entertain no personal feeling or animosity against the Postmaster-general, I yielded to this advice and under these circumstances withdrew my petition.

I, however, now feel it a duty incumbent on me to apply to the Secretary of State for re-employment, and in requesting the favour of your Excellency to forward by the next overland mail the accompanying petition to the Right honourable Sir John Pakington, I beg leave humbly to observe, that I rely on your Excellency's generosity of disposition not to prejudice the Secretary of State against me, in any observations your Excellency may consider it your duty to make on the subject.

I am, &c.

5 November 1852. (signed) *Cornelius Connor.*

(O.)

Sir, General Post-office, 19 November 1852.

I BEG to acknowledge the receipt of your letter of the 16th instant, forwarding for my remarks an application from Mr. Connor, addressed to his Excellency the Governor, under date the 5th instant.

As regards the statement now made by Mr. Connor, in excuse for his inconsistent conduct, I have the honour to observe for the information of his Excellency, that the idea of holding any communication whatsoever, either directly or indirectly, with such a man as Mr. Connor, never at any time, even for an instant, crossed my mind; and that I have always attributed the withdrawal of his memorial, and the letter which he wrote me on the 10th of September last (a copy of which is annexed), both equally unexpected by me, to a feeling of repentance, and a desire to conciliate and induce me to forego further proceedings in an affair that I had placed in the hands of Mr. Savy, and which he well knew would terminate in his conviction, perhaps imprisonment.

And for the further information of his Excellency, I beg a reference to the accompanying communication received from Mr. Savy, Mr. Connor having alluded to my legal adviser.

Mr. Connor's representations of not entertaining towards me any feeling of animosity, as conveyed in both his letters, 10th September and 5th November 1852, being also most inconsistent with his past and present very inexcusable conduct. It is very evident that his real and sole object is to harass and annoy me. I must, therefore, most respectfully and earnestly appeal to his Excellency's consideration and authority to put an end to such a systematic persecution in a matter long since disposed of by his Excellency.

I have, &c.
(signed) *J. Stuart Brownrigg,*
The Honourable the Colonial Secretary. Postmaster-general.

COPY of my Letter to *N. Savy,* Esq.

Sir, General Post-office, 17 November 1852.

HAVING received a communication from the Colonial Secretary late yesterday afternoon, forwarding me a transcript of a letter addressed to his Excellency the Governor by Mr. Connor, under date the 5th instant, and allusion having been made therein to my legal adviser, I send the document in question for your perusal, as you can best state what truth there is in Mr. Connor's extraordinary representations, which I have no doubt you will kindly do, with as little delay as possible.

I have, &c.
(signed) *J. Stuart Brownrigg.*

Sir, Port Louis, 18 November 1852.

HAVING read the letter addressed to you by the Honourable the Colonial Secretary, under date the 16th, and also the application made to his Excellency the Governor by Mr. Cornelius Connor, under date the 5th November instant, I feel no hesitation in telling you that he has stated a most unprecedented untruth to his Excellency.

I am, &c.
J. S. Brownrigg, Esq. Postmaster-general, (signed) *N. Savy.*
&c. &c. &c.

Sir, Port Louis, 9 November 1852.

ON reflection, I think that matters have gone already far enough between you and I.

The action at law which I have been prompted to have served upon you I will disannul, and believe me, when I say, that I bear no animosity towards yourself or your family.

Then, sir, let whatever has transpired between us hitherto be now and for ever buried in oblivion.

I have, &c.
J. S. Brownrigg, Esq., Postmaster-general. (signed) *C. Connor.*

P. S.—Hoping, through the well-known clemency and generosity of his Excellency the Governor, to be again restored to Her Majesty's service.

(A true copy.)

(signed) *J. Stuart Brownrigg,*
Postmaster-General.

—No. 2.—

No. 2.
H. Merivale, Esq., to Lieut.-Col. Maberly.
12 February 1853.

COPY of a LETTER from *H. Merivale*, Esq. to Lieutenant-Colonel *Maberly*.

No. 414.
2 December 1852.

Sir, Downing-street, 12 February 1853.

I AM directed by the Duke of Newcastle to transmit to you, for the consideration of Viscount Canning, the copy of a despatch and its enclosures from the Governor of Mauritius, reporting the result of an investigation into charges brought against Mr. Brownrigg, the Colonial Postmaster-general, who also holds an appointment under your Lordship's office.

The Duke of Newcastle desires me to request that you would move Viscount Canning to favour his Grace with his Lordship's opinion and advice upon this case, which discloses some remarkable statements concerning the manner in which the business of the Post-office in Mauritius is conducted.

I am, &c.

(signed) *H. Merivale.*

—No. 3.—

No. 3.
J. Tilley, Esq., to H. Merivale, Esq.
19 February 1853.

COPY of a LETTER from *J. Tilley*, Esq., to *H. Merivale*, Esq.

Sir, General Post-office, 19 February 1853.

I HAVE laid before the Postmaster-general your letter of the 12th instant, accompanied by the copy of a despatch and of its enclosures from the Governor of Mauritius, reporting the result of an investigation into charges brought against Mr. Brownrigg, the Colonial Postmaster-general, who also holds the appointment of packet agent to this department; upon which charges you request the opinion of the Postmaster-general.

His Lordship directs me to acquaint you for the information of the Duke of Newcastle, that Mr. Brownrigg was appointed to be the agent of this department at Mauritius, in consequence of holding the office of Colonial Postmaster-general, by whom the duties required of an agent (which consist in the collection of packet postage on local letters) can be more conveniently as well as more economically performed than by an individual deputed specially for the purpose.

The Postmaster-general of Mauritius is not appointed by, nor is he under the control of the Postmaster-general, the postal affairs of the colony being conducted under the direction of the local Government without authority or interference on the part of this office; and beyond the fact of Mr. Brownrigg filling the office of packet agent this department has no knowledge of him, and is entirely ignorant of the mode in which the business of his office is carried on.

Under these circumstances, the Postmaster-general can offer no opinion upon the proceedings to which his attention has been called by the Duke of Newcastle. They appear to have been most carefully investigated by the commission of inquiry appointed by the Governor, with the help of all the persons on the spot from whom any information could be obtained; and it is a question therefore whether his Lordship could safely form any conclusions other than those at which the Governor has arrived, as expressed in the minute which accompanies the papers.

I return, in compliance with your request, the several original enclosures transmitted in your letter.

I have, &c.

(signed) *J. Tilley.*

— No. 4. —

No. 4.
H. Merivale, Esq., to J. Tilley, Esq. 21 March 1853.

Copy of a LETTER from *H. Merivale*, Esq. to *J. Tilley*, Esq.

Sir, Downing-street, 21 March 1853.

With reference to my letter of the 12th ultimo and your reply of the 19th, relating to the charge brought against Mr. Brownrigg, the Mauritius Postmaster, I am directed by the Duke of Newcastle to acquaint you for the information of the Postmaster-general, that his Grace has considered Mr. Brownrigg's conduct so reprehensible as to demand his dismissal from the Colonial service, which decision has been communicated to the Governor in the despatch, of which I enclose an extract.

No. 34. 16 March 1853.

I am, &c.
(signed) *H. Merivale.*

— No. 5. —

No. 5.
Duke of Newcastle to Governor Higginson. 16 March 1853.

(No. 34.)

Copy of a DESPATCH from the Right Honourable the Duke of *Newcastle* to Governor *Higginson.*

Sir, Downing-street, 16 March 1853.

I have had under my consideration your despatch, No. 414, of the 2d December, enclosing a memorial addressed to me by Mr. Connor, late chief clerk in the Mauritius Post-office, and a communication from Mr. Brownrigg, the Colonial Postmaster-general, in answer to the complaints preferred against him by Mr. Connor, together with the report of a Committee of Inquiry, and various other documents in explanation of charges of embezzlement and other misconduct brought by Mr. Connor against Mr. Brownrigg.

You will be pleased to acquaint Mr. Connor that I have considered his memorial, and that I am under the necessity of expressing my concurrence in the decision by which he was deprived of his office.

But while I acquiesce in the propriety of Mr. Connor's removal from the public service, the charges against Mr. Brownrigg, which his memorial has been the means of bringing to my knowledge, have appeared to me to demand my very serious consideration, and you must allow me to express some surprise that charges of misconduct amounting to embezzlement should have been brought against the head of a department in the colony without your having reported them to the Secretary of State, either at the time when they were preferred or at the time when the proceedings founded on them had been brought to a close.

I have carefully considered the report, dated 14th July 1852, of the committee which you appointed to inquire into these charges, and I find that although the witnesses were found to have been tampered with by Mr. Brownrigg, and there was much contradiction and prevarication in their testimony, yet some of the most material facts were placed beyond doubt, and these facts are of such a character that I find it impossible to acquiesce in the conclusion at which you arrived, that Mr. Brownrigg whilst required to refund public money irregularly received, should, however, be continued in the office of Postmaster-general.

Whatever doubts may have been thrown by conflicting testimony upon some of the matters alleged against Mr. Brownrigg, facts in the case of the man Jaggoo are clear. He was Mr. Brownrigg's coachman, he was borne on the abstracts as an office peon under a false name, being the name of a person who had been a messenger, but had ceased to be one; his salary was paid to Mr. Brownrigg and not to him, and Mr. Brownrigg kept a considerable portion of it. He alleges that it was kept by the desire of Jaggoo, and to be saved up for him; and this is an explanation which might easily be accepted, were the case clear of other circumstances of irregularity and suspicion; but even previously to the appointment of Jaggoo there was a falsification of the abstracts, by which it is made very doubtful whether Jaggoo's predecessor received more than 1*l.* 4*s.* of the 2*l.* per month charged to the public on his account, and in the words of the Committee of Inquiry, "The Colonial Postmaster-general has laid himself open to

to the charge of receiving the difference by the irregularity which he has permitted to exist in the abstracts."

It is unnecessary that I should go into the other irregular and suspicious transactions reported on by the Committee of Inquiry, the cases to which I have adverted being such in themselves as to make it necessary for the maintenance of integrity amongst public servants, that Mr. Brownrigg should not continue to hold an office under this department. You will on the receipt of this despatch revoke Mr. Brownrigg's appointment of Colonial Postmaster-general, and make such provisional arrangements as you may consider most proper for the execution of his duties, until I shall be enabled to appoint his permanent successor.

Although the Committee of Inquiry appears, as far as I can judge from these papers, to have executed the task confided to it with diligence and impartiality, I cannot concur in the observations which they make on the practice of the Postmaster-general receiving a fee of 5*l.* 5*s.* from merchants for being allowed credit until the end of the month, as well as a fee of 1*l.* 1*s.* for a separate box, which fees have not been returned in the Blue Book, and have not been carried to the public account. These are practices which are highly improper, and I request to be informed whether you have taken any steps to put an end to them.

You will also be pleased to state whether the suggestion of the committee for the branding public furniture for the purpose of identifying it as public property has been duly carried into effect.

I cannot conclude this despatch without expressing my hope that I may rely upon the exercise by you of such a supervision of the public service in Mauritius as may support the honour of that service, and prevent the recurrence which, I regret to find, has been very frequent, of cases of irregularity and abuse.

An extract of this despatch will be communicated to Viscount Canning, under whose authority Mr. Brownrigg fills the office of packet agent.

I have, &c.
(signed) *Newcastle.*

—No. 6.—

No. 6.
Col. Maberly to H. Merivale, Esq.
28 March 1853.

Copy of a LETTER from Colonel *Maberly* to *H. Merivale,* Esq.

Sir, General Post-office, 28 March 1853.

I have laid before the Postmaster-general your letter of the 21st instant, in which you state, with reference to former correspondence, that the Duke of Newcastle has considered the conduct of Mr. Brownrigg so reprehensible as to demand his dismissal from the office of Colonial Postmaster-general at Mauritius.

Under this decision Lord Canning has ordered Mr. Brownrigg to close his accounts as the agent of this department, and to remit the balance due from him.

It is the intention of his Lordship to confer upon Mr. Brownrigg's successor in the office of Colonial Postmaster-general the appointment of packet agent, and he desires me to request, therefore, that so soon as the Duke of Newcastle shall have appointed a permanent successor to Mr. Brownrigg, his Grace will be good enough to direct the gentleman selected for the office to place himself in communication with this department, in order that he may be instructed in the duties of the packet agency.

I have, &c.
(signed) *W. L. Maberly.*

No. 7.
Governor Higginson to the Duke of Newcastle.
28 June 1853.

—No. 7.—

(No. 117.)

Copy of a DESPATCH from Governor *Higginson* to the Duke of *Newcastle.*

Mauritius, 28 June 1853.

My Lord Duke, (Received, 27 August 1853.)

I have the honour to report that, in obedience to the orders conveyed to me in your Grace's despatch No. 34, of the 16th March last, the appointment of Mr. Brownrigg as Colonial Postmaster-general has been revoked, and a provisional arrangement made for the execution of his duties.

2. In reference to the surprise expressed by your Grace at my not having brought under the notice of the Secretary of State the charges preferred against the head of a department at an earlier period, I beg leave respectfully to explain that, neither my past experience of the course pursued in analogous circumstances in other colonies where I have served, nor the importance which I attached to the case itself, suggested the necessity of making the report which I now learn was expected from me. This experience, and an impression that it was only in cases of suspension from office that the local authority was required to report his proceedings to the Secretary of State, alone led to the omission pointed out, which shall be remedied on future occasions.

3. I hope, however, that it will be manifest to your Grace that immediately the grave imputations against the conduct of the late Postmaster-general were brought to my notice, a searching investigation into them was ordered, and every practicable means taken to elicit the truth. Your Grace has been made acquainted with the conclusions at which I arrived, after maturely weighing the very conflicting testimony brought forward, and carefully reviewing all the bearings of the case, including the highly-tainted source from whence the charges spring. In determining the measure of punishment I was not without misgivings that it might be considered inadequate to the very reprehensible character of the official irregularities proved to have been committed by Mr. Brownrigg, aggravated as they were by the suspicion of still graver and more culpable misconduct to which those irregularities had exposed him; but not being able to satisfy myself that there was sufficient evidence to either legally or morally convict the accused of the more culpable and criminal acts charged against him, I directed that he should be severely reprimanded, and that the whole of the salary drawn by Mr. Brownrigg for the peon Jaggoo, whose time was partially misemployed in his private service, should be refunded to the public treasury.

4. Considering that Mr. Brownrigg's misconduct was attributable more to culpable negligence in the performance of that branch of his duties in which the irregularities were brought to light than to a dishonest or fraudulent intention, which the entry and retention of one man's name for another upon the pay abstract could not, as far as I can judge, have facilitated, and which, as this may have occurred through inadvertence, does not necessarily imply an unworthy motive, I did not suspend him from office; nor did I conceive that the only charges which were fully substantiated could warrant my recommending his dismissal from the public service, or that the honour or efficiency of that service demanded this extreme measure; nor, whatever may have been the frequency of former abuses and irregularities to which my attention is called, this was the first recurrence of them that had come under my observation; and I had no reason to believe that the present condition of the public service in Mauritius required the application of so severe an example. But as your Grace has been led to form a different opinion, it only remains for me to execute the decision which you have announced.

5. In reply to your Grace's queries, in regard to certain suggestions of the Committee of Inquiry, I have to state that, that for branding all public furniture was at once adopted; and that nearly the whole being now marked, the work will very shortly be completed.

6. In regard to the fees received by the Postmaster-general for giving credit to merchants and others, and for separate letter-boxes, and not regularly returned in the Blue Book, it will be perceived, from the minute recorded by me on the report

report of the Committee of Inquiry, that their suggestion for considering the proper appropriation and return of these fees was noted for adoption, but the matter was not again brought to my notice, and it unfortunately escaped my recollection. The practice itself I felt reluctant to disturb, which had been recognised and in operation for many years, even anterior to Mr. Brownrigg's appointment, with some advantage to both Government and the public, and it was not, as I understood, peculiar to this colony, but followed in other post-offices, both at home and abroad. It may also be remarked, that this accommodation involved no risk of loss to the revenue, as the Postmaster-general was held personally responsible for any arrears of postage that might remain unpaid. As, however, I am not quite certain whether the objections expressed in your Grace's despatch do not apply to the principle of giving credit, as well as to the appropriation of the fees paid for the accommodation, I have now ordered that the credit system shall henceforth be discontinued; but I apprehend that its cessation will be attended with some disappointment to that portion of the public who availed itself of the convenience; and which, if placed on a more regular footing, I am disposed to think might, with your Grace's permission, be continued without being exposed to the objections that have been taken to the practice as hitherto pursued.

7. I am aware of no objection, either in principle or practice, that can be entertained to the separate letter-boxes, and as they are a great convenience to merchants and others who choose to pay for the accommodation, I have not deemed it incumbent on me to withhold it; but I have directed that the fees paid on this account shall be held in deposit, pending the receipt of your Grace's orders as to their appropriation. Being, however, myself of opinion, that these fees should form a part of the revenue of the Post-office, if your Grace should be pleased to authorise credit being allowed as heretofore, I would recommend that the Postmaster-general be relieved from the personal responsibility involved in the past system, and that the fees should go into the Treasury as those paid for separate boxes.

The payment of a fee seems indispensable, but its amount might perhaps be reduced; for, if the privilege were gratuitously accorded, applications for it would be more numerous than could be conveniently granted.

I have, &c.

(signed) *J. M. Higginson.*

— No. 8. —

(No. 115.)

No. 8.
Duke of Newcastle to Governor Higginson.
12 Sept. 1853.

COPY of a DESPATCH from the Duke of *Newcastle* to Governor *Higginson.*

Sir, Downing-street, 12 September 1853.

I HAVE to acknowledge the receipt of your despatch of the 28th June last, No. 117, reporting that, in accordance with my instructions, you had removed Mr. Brownrigg from the office of Colonial Postmaster of Mauritius.

As regards the fees received from the merchants for the use of separate letter-boxes, I have to instruct you to cause them to be paid into the Colonial Treasury.

I have, &c.

(signed) *Newcastle.*

No. 9.
J. S. Brownrigg, Esq., to the Duke Newcastle.
December 1853.

—No. 9.—

Copy of a MEMORIAL from *J. S. Brownrigg*, Esq., to the Duke of *Newcastle*.

The Memorial of *James Stuart Brownrigg*, late Colonial Postmaster-General at Mauritius,

Humbly showeth,

That in consequence of his removal from the office he had held for 10 years, to the satisfaction, he had supposed, of the Colonial Government, of Her Majesty's Postmaster-General, and of the public of Mauritius, your Memorialist approaches your Grace in a truly painful and peculiar position, and earnestly solicits your Grace's indulgence whilst he respectfully offers some observations on the extraordinary nature of his case, in the humble and anxious hope that he may be enabled thereby to remove from your Grace's mind the unfavourable impressions which have led to his removal from the colonial service.

But preliminary thereto your Memorialist desires to declare in the most solemn manner, that he did not in any way tamper with the witnesses produced before the Committee of Inquiry. It is true, that before that investigation was ordered, he laid before the Governor a declaration from the individuals employed in the Post-office of the regular service of Jaggoo as a peon in the department, but this was strictly true and was a willing act on their part. He also forwarded to the Committee two declarations from other persons which they brought to him, and he, as a matter of duty, transmitted to them, but he did not apprehend that either could be misconstrued into tampering with the witnesses, or that he should have been supposed to be capable of such a proceeding. Whatever contradictions or prevarications may have occurred in their testimony, have proceeded entirely from the individuals themselves, and in no degree from your Memorialist, who abstained from communication with them on the subject, after he learned that an inquiry by a committee had been ordered, and has no knowledge whatever of the evidence given, not having been allowed to be present at the investigation, nor having had a copy of the evidence furnished to him.

It is impossible to deplore more sincerely than your Memorialist does the irregularities in the abstracts of the office, but the very manner in which they occurred will show your Grace that there was no attempt at disguise or deceit in regard to them, since every month they came under the personal observation of every individual in the department, and were entered in a book open to the inspection of all of them.

Your Memorialist is well aware, that as head of the office he alone is responsible for these irregularities, but having then entire confidence in the integrity of the chief clerk, he thought that he could leave that duty to him while your Memorialist was engaged in the general business of the department.

The use to which these errors and irregularities have since been turned, and the vindictiveness with which Mr. Cornelius Connor, the late chief clerk, has pursued your Memorialist, show sufficiently plainly that there was nothing else to accuse your Memorialist of, otherwise he, Mr. Connor, would not have failed to bring it forward.

Your Grace has considered that some of the most material facts were placed beyond doubt, and were of such a character, that while refunding public money irregularly received it was impossible to continue your Memorialist in the office of Postmaster-general. Whilst the weight of this sentence has fallen with such distressing consequences upon him, he would humbly submit to your Grace, that his Excellency the Governor in direct communication with the Committee, and having a thorough knowledge of the whole matter, did not, in imposing this refund upon him (a farthing of which had never gone into your Memorialist's pocket) deem any further punishment necessary, considering the penalty a sufficient judgment on him for what his Excellency viewed as not amounting to more than an irregularity, and which your Memorialist is but too sensible it is.

In regard to the peon Jaggoo, your Memorialist has freely admitted that he was employed by him as coachman, but that your Memorialist had no intention in so doing to prejudice the public service, as the man did his duty regularly

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in the office, and it was only out of Jaggoo's hours of Government duty that he served Memorialist, for which your Memorialist paid him regularly, and your Memorialist was not then aware that he was acting at all contrary to the views of Government, or contravening any regulation or order.

Your Memorialist can now only lament that any mismanagement in the abstracts, which were left entirely to the chief clerk, could have led to the allegation on the part of the Committee, that your Memorialist had laid himself open to the charge of receiving the difference of the peon's pay, 16*s.* per month, which his whole conduct and character as a public servant, and a gentleman, ought to have repulsed, and the least consideration of his position, with an honourable office, and an income bordering upon 700*l.* a year, might have saved him from, for it cannot for a moment be supposed that your Memorialist would have risked these advantages for so paltry a sum, and that in the constant and full knowledge, not only of the individual himself, so supposed to be aggrieved, but of every other person in the department.

That there has been irregularities in these instances is not attempted to be denied or disguised by your Memorialist, but he humbly hopes that he has shown to your Grace that beyond that he has not been guilty of any offence; and he earnestly and humbly implores your Grace to take his case again into your favourable consideration, and to restore him to Her Majesty's colonial service, in a situation similar to that from which he has been removed.

Your Memorialist has been 19 years in the colony of Mauritius, where, from the smallness of the community, the conduct of the public servants is closely watched and not over-indulgently scrutinised, and yet he ventures to believe that, from the Governor downwards, there is not an individual who would for a moment suppose that your Memorialist could have been guilty of any of the allegations set forth against him with respect to the misapplication of the peon salaries.

The revenue of the Post-office has increased threefold since your Memorialist took the charge, and the business, even in a much larger degree, involving a multiplicity of details which it required the utmost vigilance to watch over; and while his constant attention was required for that purpose, he did not exercise that supervision over the chief clerk in regard to the abstracts which he finds that person required; and thence have arisen the irregularities which terminated so fatally for your Memorialist and his family for the present, but from which painful and distressing position he trusts that your Grace, on a reconsideration of his case, will relieve him by an early restoration to the colonial service, in a corresponding appointment to that he lately held in the island of Mauritius.

And your Memorialist, as in duty bound, will ever pray.

(signed) *J. Stuart Brownrigg.*

Upton Park, Slough, 26 December 1853.

— No. 10.—

COPY of a LETTER from *F. Peel*, Esq. M.P. to *J. S. Brownrigg*, Esq.

No. 10.
F. Peel, Esq., M. P., to J. S. Brownrigg, Esq.
14 January 1854.

Sir, Downing-street, 14 January 1854.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your memorial, dated 26th ultimo, requesting reconsideration of the charges brought against you while Colonial Postmaster at Mauritius.

I am to acquaint you in reply, that his Grace regrets that he feels it to be his duty to adhere to the decision which he communicated to Governor Higginson, and that he cannot hold out to you any prospect of your being again employed in the colonial service.

I have, &c.
(signed) *F. Peel.*

— No. 11.—

No. 11.
J. S. Brownrigg, Esq., to the Duke of Newcastle.
23 January 1854.

COPY of a LETTER from *J. S. Brownrigg*, Esq. to the Duke of *Newcastle*.

My Lord Duke, Upton Park, Slough, 23 January 1854.

I HAVE the honour to acknowledge the receipt of the letter which your Grace directed to be addressed to me, under date the 14th instant, in answer to my memorial of the 6th ultimo.

I cannot express how deeply distressed I am that your Grace should feel it your duty to adhere to the decision forwarded to his Excellency Governor Higginson; for, as there was nothing affecting my character for integrity, or, to use Governor Higginson's words, personally addressed to me, "that I was neither morally or legally guilty of any offence," as is clearly shown by the Committee of Inquiry, in the summary of their Report, I certainly did indulge the hope that your Grace would have been pleased to recal a decision which deprives me of the means of supporting myself and family, particularly as a heavy penalty had been inflicted upon me by his Excellency the Governor 12 months previously, and paid.

I cannot, therefore, but feel convinced that there must be some point or circumstance which has either been imperfectly laid before your Grace, or not submitted at all. I consequently respectfully and earnestly solicit the honour of an interview, in order that I may have the opportunity of affording your Grace any such further explanations as your Grace shall deem desirable. Besides, I am most anxious to present, for your Grace's inspection and consideration, certain documents which I hold from some of the highest authorities in Mauritius.

I have, &c.
(signed) *J. Stuart Brownrigg.*

— No. 12.—

No. 12.
H. Merivale, Esq., to J. S. Brownrigg, Esq.
30 January 1854.

COPY of a LETTER from *H. Merivale*, Esq. to *J. S. Brownrigg*, Esq.

Sir, Downing-street, 30 January 1854.

IN answer to your letter of the 23d instant, I am directed by the Duke of Newcastle to acquaint you that he is unable to grant you an interview. His Grace, however, will be ready to consider any documents which you may send to him, provided they relate to such points only of your case which, as you suggest, may not have been duly brought under his notice.

I am, &c.
(signed) *H. Merivale.*

— No. 13.—

No. 13.
J. S. Brownrigg, Esq., to the Duke of Newcastle.
20 February 1854.

COPY of a LETTER from *J. S. Brownrigg*, Esq. to the Duke of *Newcastle*.

My Lord Duke, Upton Park, Slough, 20 February 1854.

BY a communication I have had the honour to receive, dated the 30th ultimo, which by your Grace's desire was addressed to me, in answer to my letter of the 21st idem, I regret to learn that your Grace "is unable to grant me an interview." I however thank your Grace for the intimation that you are ready to consider any documents which I may send to you, provided they relate to such points only of my case as, agreeably to my suggestion, may not have been duly brought under notice.

I take leave respectfully to observe, that I am quite ignorant of what papers or representations may or may not have been laid before your Grace; can only, therefore, infer, from the great severity of the measures adopted towards me, that some material facts or circumstances to my advantage are still unpresented; and feeling assured that my general character for integrity, and my zeal

and

and assiduity as a public officer, must be some of the points upon which your Grace cannot be fully informed, I do myself the honour to herewith transmit copies of a few testimonials, which I anxiously and earnestly hope will prove sufficiently satisfactory to induce your Grace to relieve me from my present peculiar and most distressing position.

And, with reference to the following passage in your Grace's despatch to his Excellency Governor Higginson, "That his (Jaggoo's) salary was not paid to himself, but to me, and that I kept a considerable portion of it," that my allegation that the money was kept by the desire of Jaggoo, might easily be accepted as an explanation, were the case clear in other circumstances, I beg to annex a copy of Jaggoo's receipt (witnessed by two clerks in the Audit-office, Mauritius) for all demands against me, paid almost immediately after he had ceased to be connected with me in any way.

I have, &c.
(signed) *J. Stuart Brownrigg.*

Enclosure 1, in No. 13.

THE GOVERNOR'S Private Note, communicating the Secretary of State's Decision. Encl. 1, in No. 13.

My dear Sir, Beauchamp, Savanne, 8 June 1853.

I LAST night received the decision of the Secretary of State upon the memorial of your late chief clerk, Mr. Connor, and it is with sincere sorrow that I have to inform you that the Duke of Newcastle has directed your appointment of Postmaster-general of this colony to be revoked, and immediate measures to be taken for your supercession. Official intimation of this painful announcement will be communicated to you in due course.

I am, &c.
(signed) *J. M. Higginson.*

Enclosure 2, in No. 13.

TESTIMONIAL from his Excellency the Governor. Encl. 2, in No. 13.

Sir, Colonial Secretary's Office, 6 July 1853.

I AM directed by his Excellency the Governor to acknowledge the receipt of your letter under date the 30th ultimo, soliciting that his Excellency will give his testimony as to the manner in which you performed the duties of the office from which you have been recently removed, and to inform you in reply, that during the period you served under his Excellency's orders as Postmaster-general in this colony, his Excellency had no reason to question your zeal and assiduity, and that, except in the instance to which you refer, and which has led to your return to Europe, his Excellency has been quite satisfied with the manner in which your official duties were discharged.

I have, &c.
(signed) *C. J. Bayley,*
Colonial Secretary.

Enclosure 3, in No. 13.

FROM Major-General *Sutherland,* Commanding the Forces at Mauritius. Encl. 3, in No. 13.

My dear Sir, Mauritius, 11 July 1855.

ALLOW me, before you leave Mauritius, to express my sincere regret at the unhappy and unexpected circumstances under which your departure is taking place.

I always viewed the accusations brought against you by Mr. Connor, the late chief clerk of the Post-office, with much suspicion and distrust, as the base offspring of the lowest malice and spirit of revenge, for it is quite clear that if you had not, in the honest fulfilment of your duty to the Government reported his drunkenness and misconduct in his office, not even a whisper would ever have been heard from him on the subject of the charges that, after his dismissal, and not before, he brought against you, for faults, be it remembered, which he was himself the main cause of being perpetrated, for it was doubtless his bounden duty, had he been anxious to perform it honestly, whether he prepared the pay lists or abstracts or not, to have taken special care that they were perfectly correct in names and all other respects, particularly after your orders to amend them, before he presented them to you for signature; and his subsequent conduct would almost lead to the inference that he

continued the wrong names on the abstracts even after receiving your directions to the contrary, in pursuance of a deep-laid scheme to use the circumstance as an engine against you, in the event of taking any serious steps to bring his own irregularities to light, an engine which, I am sorry to say, he has found means so successfully to use.

Of my own knowledge I can only say, that during the time I was in the administration of the Government I received no complaint of you, and that in my frequent visits to the Post-office I always found you at your post, in the apparent assiduous and diligent discharge of your duties.

I remain, &c.
(signed) *William Sutherland.*

J. S. Brownrigg, Esq.,
&c. &c. &c.

Encl. 4, in No. 13.

Enclosure 4, in No. 13.

NOTE from *Villiers Surtees*, Esquire, Second Judge.

My dear Sir, 40, St. James-place, 16 November 1853.

OF the particular circumstances which have led to your removal from Mauritius I can, of course, know nothing; but in compliance with your request that I should state such opinion as I may have had the means of forming respecting your general character, I have no difficulty in saying that you would have been one of the last men in Mauritius whom I should think likely to be guilty of any want of probity; and such, I am convinced, would be the view not only of your friends there, but also of the island public at large.

Believe me, &c.
(signed) *S. Villiers Surtees.*

J. S. Brownrigg, Esq.,
&c. &c. &c.

Encl. 5, in No. 13.

Enclosure 5, in No. 13.

NOTE from *G. Dick*, Esq., late Colonial Secretary.

My dear Sir, 1, Wilton-terrace, 26 December 1853.

DEEPLY regretting that circumstances should have made you desirous of having an opinion from me as to your standing at Mauritius; yet, having had the pleasure of knowing you from the time of your arrival there, I have very sincere satisfaction in stating that your conduct there was that of a gentleman, and a public servant of honour and integrity, steady and attentive in the discharge of your duties, and always anxious to promote the usefulness of the department you had in charge.

Believe me, &c.
(signed) *G. E. Dick.*

Sir, General Post-office, 20 August 1852.

HAVING laid before the Postmaster-general your letter of the 23d April last, I am directed by his Lordship to enclose the copy of a letter from the Lords Commissioners of the Treasury, granting you an increase of 25*l.* a year to your salary of 100*l.* a year as packet agent of this department at Mauritius, in consideration of the increased duties of your office and of your efficient services; and I have to inform you that this increase will take effect from the date of the Treasury authority, viz., the 11th instant.

I am, &c.
(signed) *W. L. Maberly.*

THE Peon *Jaggoo*'s Receipt for all Demands upon *J. S. Brownrigg*, Esq.

I DO hereby acknowledge to have received from James Stuart Brownrigg, Esq., Postmaster-general, the sum of thirty pounds sterling, being in full of all demands against him to this date,

Port Louis, 13 September 1852. *Jaggoo*, his × mark.

Witnesses to the payment and mark,

(signed) *J. Holland,*
N. Lesage,
Clerks of the Audit Office, Mauritius.

—No. 14.—

No. 14.
F. Peel, Esq., M.P., to J. S. Brownrigg, Esq.
16 March 1854.

Copy of a LETTER from *F. Peel*, Esq. M. P. to *J. S. Brownrigg*, Esq.

Sir, Downing-street, 16 March 1854.

I am directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 20th ultimo, accompanied by copies of testimonials of the estimation in which you were held by several gentlemen connected with Mauritius.

His Grace desires me to express his sincere regret, that a gentleman who had obtained the good opinion and good will of persons of the highest station and authority in the colony, should have been betrayed into irregularities of conduct which render it impossible that his Grace should entertain the question of his reinstatement in the public service.

I am, &c.
(signed) *F. Peel.*

—No. 15.—

No. 15.
A. Hastie, Esq., M. P., to the Duke of Newcastle.
1 March 1854.

Copy of a LETTER from *A. Hastie*, Esq. M. P. to the Duke of *Newcastle*.

57, St. James-street, London,
My Lord Duke, 1 March 1854.

As I feel it necessary to make some explanation for my interference in the case of Mr. Brownrigg, late Postmaster-general at Mauritius, I beg to mention that my house at Glasgow has an establishment in Mauritius, and that the son of my partner is the son-in-law of Mr. Brownrigg. I have looked very carefully over the papers connected with Mr. Brownrigg's case; I do not say one word in extenuation of the impropriety of his conduct, but, improper as it was, he has suffered very severely for the offence, first in the refunding of the amount paid by government to Jaggoo, and second in the lengthened deprivation of the office he so long held, with honour to himself and satisfaction to his superiors, the consequent pecuniary loss and the very severe mental suffering arising therefrom. I beg herewith to forward your Grace letters from Mr. Brownrigg, enclosing various certificates of character from those holding the highest official appointments in the colony; my private letters speak in the same terms of Mr. Brownrigg, both as an efficient public officer and as a gentleman; may I, therefore, most respectfully urge your Grace to reinstate Mr. Brownrigg in his former office, which owing to the death of Colonel Godfrey, appointed as his successor, can be now done without inflicting injury upon any one.

I have, &c.
(signed) *Alex. Hastie.*

—No. 16.—

No. 16.
F. Peel, Esq., M.P., to A. Hastie, Esq., M. P.
16 March 1854.

Copy of a LETTER from *F. Peel*, Esq. M. P. to *A. Hastie*, Esq. M. P.

Sir, Downing-street, 16 March 1854.

In answer to your letter of the 1st instant, I am directed by the Duke of Newcastle to express his sincere regret that Mr. Brownrigg, having enjoyed the good opinion of persons of the highest station and authority in Mauritius, should have been betrayed into irregularities of conduct which render it impossible that his Grace should entertain the question of his reinstatement in the public service.

I am, &c.
(signed) *F. Peel.*

—No. 17.—

No. 17.
J. S. Brownrigg, Esq., to the Duke of Newcastle.
31 March 1854.

Copy of a LETTER from *J. S. Brownrigg*, Esq. to the Duke of *Newcastle*.

Upton Park, Slough,
31 March 1854.

My Lord Duke,

I have had the honour to receive through the Under Secretary of State for the Colonies, bearing date the 16th instant, your Grace's reply to my letter of the 20th ultimo.

Your Grace being now aware of the good opinion entertained of me by gentlemen of the highest standing and authority in Mauritius, who during a series of years had every opportunity for forming a correct estimate of my character for probity and assiduity, and your Grace at the same time possessing a full knowledge that the allegations so maliciously made by the clerk Cornelius Connor, were not even deemed by his Excellency Governor Higginson to be of sufficient importance or gravity to be made the subject of a reference to your Grace ; moreover,

That so high and competent an authority as the Governor of the colony, who had at command the means and opportunity of being fully informed upon all points, had already adjudged the case.

That the heavy fine inflicted by his Excellency, and considered by him a severe mark of censure (Colonial Secretary's letter, 31 July 1852), had been paid.

That for twelve months after the inquiry had closed I continued to carry on the duties of my office to the entire satisfaction of the Governor.

That I had the Governor's word and authority for the matter being finally closed and disposed of, as intimated to me through the Colonial Secretary, whose letter to that effect, dated October 1st, 1852, I hold.

That I had conducted the interests of the London Post-office so much to the satisfaction of Her Majesty's Postmaster-general as to be given an increase of salary for my very efficient services.

Add to the above, the expression used to me personally by his Excellency Governor Higginson, " that he did not consider I was either morally or legally guilty of any offence."

These, my Lord Duke, are all such undeniable facts, that I cannot abstain from giving expression to the distress and perplexity I labour under to account for the severity of the measures adopted against me by your Grace. First, in the deprivation of my office, and next, in your refusal to entertain the question of my reinstatement in Her Majesty's colonial service. Had I committed some disgraceful and inexcusable act, involving the government in pecuniary losses, the case would have been widely different ; but in the present instance, the government colonial treasury was enriched nearly 120 *l.* (the amount of the Governor's fine) taken out of my pocket, which was a most serious loss to me, and as the principal circumstance against me was in regard of an omission or oversight (and omissions and oversights will sometimes occur in the best conducted departments), did not entail any loss or inconvenience whatever upon the government, in fact any one. The infliction therefore of a second punishment, a year after the first, depriving me of the means of maintaining myself and family, after so many years of zealous and indefatigable exertions in a very arduous and responsible office in a tropical climate, cannot be viewed in any other light than an over-severe and undeserved measure, for I may be allowed to deny under circumstances, that my conduct in the least called for such a punishment.

I would here respectfully put it to your Grace's sense of right and wrong, if it is not contrary to all recognised principles of British justice that two punishments should be inflicted for one and the same fault, and one, let me remind your Grace, that had already been disposed of and set at rest by Her Majesty's representative in the colony, and who I have reason to believe, has written favourably of me in his despatches, and never made any complaint against me to your Grace.

There are a few other points by no means unimportant, which I conceive should at the same time have your Grace's attention ; namely,

That of the several allegations brought by the clerk Connor, only one was ever communicated to me ; viz. that referring to the peon. Colonial Secretary's letter, 14 June 1852.

That

That I was not allowed to be present at the investigation, a right belonging to every accused party, and was thereby debarred the opportunity not only of knowing who were the parties coming forward against me (for of this I was even kept in ignorance), but refuting and cross-examining them.

That it was not until after the inquiry had closed, I gathered casually who were really the witnesses. The two principal, Connor and Dougherty, disreputable characters, both having been dismissed from the Post-office for excessive drunkenness and bad conduct. The others, the treasurer's peon and the auditor's coachman (black men), were produced to prove only that which I had from the commencement stated; namely, that the peon Jaggoo drove me to and from office.

That all the clerks in the Post-office department who appeared in my behalf are most respectable, well educated and steady men, whose testimony the committee in their report endeavour to insinuate doubts against, whilst evincing a ready disposition to give every credence to the statements against me.

That the very fact of the peon Jaggoo being so employed by me (but only in his own time, for which he was separately remunerated by me), was the main cause of his being so regular at his office duties, as entered in the attendance book, which book was kept by the clerk Connor, and quoted by the committee as impartial evidence, and at the same time called in question.

That there were no instructions in the colony forbidding the employment of peons in a private capacity. It was therefore customary to do so, and in following that practice, surely no blame could fairly attach to me.

That the clerk Connor was left on my hands by the Government, although his Excellency Sir George Anderson had promised that I should be relieved of him at the first fitting opportunity.

That the Committee of Inquiry in the summing up of their strained report, for be it remarked that it is more filled in with their own inferences, conclusions and insinuations, than with facts, clear me of every imputation upon my character for integrity, and I would here beg to observe that I never was furnished with a copy of that report until after the receipt of your Grace's despatch, and only then as an act of special favour under my pecular circumstances.

That the auditor in his report to his Excellency the Governor, upon the books and accounts of the Post-office, 22d September 1852, states, "From the information I have received from Messrs. Barrow & Lesage, it would appear that the method of keeping accounts in the Post-office is simple and satisfactory, and that it is not susceptible of any improvements, and that the accounts are well kept."

I think it well to also bring to your Grace's notice the observation made to me personally by the President before the other members of the committee at the close of the inquiry, "That I had given the affair more importance than it required."

There are, no doubt, many other points that could be brought forward in my favour, and explanations given; but I am, as I before stated in my letter of 20th February, quite ignorant of what papers or representations may or may not have been laid before your Grace; in fact, I was never made aware that any documents, &c., connected with my case had been transmitted to your Grace as requested by the individual Connor. Your Grace's despatch therefore was the first intimation I had of the matter.

The high respectability of my family, well known to have for many generations served their Sovereign and country in high civil and military capacities, entitles me to some consideration. My father was a general officer, served in the wars in the East and West Indies; held high staff appointments, and was for many years up to his demise, President of the Army Account Department in Ireland. My uncle, the late General Sir Robert Brownrigg, Bart., served also in the field, and was Governor of Ceylon, where he rendered essential and important services to the Government; all my brothers, and nearly all my nearest relations have been and several still are in the army and civil employment; my eldest brother holds a high appointment in the constabulary force of Ireland, and is well known to the Government for his talents and activity; my cousin, the late Mr. John Studholme Brownrigg, was for many years in Parliament; and I have a son in the service of the Mauritius Government.

I have, as every one in Mauritius can vouch for, devoted the whole of my time and best energies to the onerous duties of the responsible office I held so long, respected by the whole community. A way it seems has been opened in the extraordinarily unexpected death of my successor, Colonel Godfrey (a circumstance already communicated to your Grace), to enable your Grace to render me that justice which I am fairly entitled to, and with every reason expect. Impelled therefore with the conviction that your Grace will yet be pleased to reconsider my case, and give me the benefit of all the foregoing representations, which I earnestly and respectfully urge upon your serious attention.

In conclusion, I beg to express the hope that the distressing and painful position into which I have with my family been plunged, will plead in excuse for my thus trespassing upon your Grace's valuable time.

I have, &c.
(signed) *J. Stuart Brownrigg.*

— No. 18. —

No. 18.
H. Merivale, Esq., to J. S. Brownrigg, Esq.
12 June 1854.

Copy of a LETTER from *H. Merivale*, Esq. to *J. S. Brownrigg*, Esq.

Sir, Downing-street, 12 June 1854.

I am directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 31st March, requesting a reconsideration of the circumstances under which his Grace thought proper to remove you from the office of Postmaster at Mauritius.

His Grace being desirous of giving his best consideration to a case of so painful a nature as the present, has again carefully perused all the papers connected with it, which has unavoidably delayed the present answer.

It is with much regret that his Grace has desired me to inform you that he can find no reason to rescind his former decision; a decision which he had formed from a conviction that the purity of the public service in the colonies not only justified, but required it.

I have, &c.
(signed) *H. Merivale.*

— No. 19. —

No. 19.
A. Hastie, Esq., M. P., to Sir G. Grey, Bart.
20 June 1854.

Copy of a LETTER from *Alexander Hastie*, Esq., M.P., to the Right Honourable Sir *George Grey*, Bart.

22, George-street, Hanover-square,
Sir, 20 June 1854.

I have the honour of herewith transmitting memorial from several merchants connected with Mauritius in favour of Mr. J. Stuart Brownrigg, formerly Postmaster of that island.

The presentation of this memorial has been delayed, waiting the arrival of Governor Higginson, to whom Mr. Brownrigg was desirous to refer, and which by the letter also enclosed he does.

I feel no hesitation in soliciting for the memorial your favourable consideration, for without in any way extenuating the error committed by Mr. Brownrigg, the punishment already inflicted has been very heavy, and appears to me more than ample.

I have, &c.
(signed) *Alexander Hastie.*

Enclosure

Enclosure 1, in No. 19.

Copy of a Letter from *J. S. Brownrigg*, Esq., to the Right Honourable Sir *George Grey*, Bart. Encl. 1, in No. 19.

Sir, Upton Park, Slough, 13 June 1854.

With reference to my letter of the 5th of April last, I have the honour to herewith forward for your favourable consideration a memorial addressed to his Grace the Duke of Newcastle in my behalf from Mauritius, from mercantile gentlemen of the highest respectability now in London; begging at the same time to explain that its presentation to his Grace was withheld by me awaiting the arrival of his Excellency the Governor of Mauritius, then daily expected, but unfortunately protracted to the 6th instant, his Grace the Duke of Newcastle having in the meantime nominated a successor to the late Colonel Godfrey.

His Excellency Mr. Higginson being now in London, would I feel assured, if referred to, support the prayer of the memorialists for my reinstatement in Her Majesty's colonial service, and would also testify to the high character I bore in the island during a long residence of 19 years, my zeal and assiduity as a public officer, and all that I did for the advancement of the department I conducted for so many years.

Earnestly soliciting your indulgent consideration of the accompanying memorial, and my letter of the 5th of April last,

I have, &c.
(signed) *J. Stuart Brownrigg.*

Enclosure 2, in No. 19.

Memorial to His Grace the Duke of *Newcastle.* Encl. 2, in No. 19.

May it please your Grace,

The under-mentioned merchants and other gentlemen connected with Mauritius beg to approach you on behalf of a public servant of 10 years' standing in the service, and 19 years' residence in that colony, who has been visited with the very severe punishment of removal from his office for an offence which in its fullest sense appears to be held in the island, as well by the public as by the officers of Government, not to have amounted to more than an irregularity, and which, however censurable in itself, would perhaps have been sufficiently punished by a reprimand from your Grace, after the fine imposed by the Governor of the colony, since there was no imputation whatever on the integrity or devotion to his duties of the officer in question.

We allude to Mr. James Stuart Brownrigg, the former Colonial Postmaster-general, who with his family has been thrown upon the world by his removal from that situation.

By advices from the island, the undersigned have learned that Colonel Godfrey, who succeeded Mr. Brownrigg, died on the 9th January last, and has thus made an opening for the latter gentleman to resume his duties, if your Grace will be pleased to receive the recommendation of the undersigned in his favour, who believe that they are only anticipating the wishes of the mercantile body of the island, and the community at large.

The undersigned, whilst desirous of removing from your Grace's mind any unfavourable impression against Mr. Brownrigg, disclaim all intention of raising a doubt as to the high principle of justice and duty on which your Grace came to the resolution which led to his removal; but the present opening affords so good an opportunity for relieving a gentleman of acknowledged high character and efficiency as a public officer from the distressing embarrassment in which he has been placed.

They earnestly trust that your Grace will be disposed to receive their present representation favourably, and reinstate Mr. Brownrigg in Her Majesty's colonial service, either in the office he so recently held, and which has so unexpectedly become vacant, or in any other of equal value that may chance to become vacant.

And your memorialists, &c.

(signed) *Edward Francis.*
O. Still.
R. Jack.
A. Gardyne.
H. W. Holmet.
Samuel Rose, 9, Mincing-lane.
George Ireland.
Robert Macfarlane, Jun.
Robert Hastie & Co., Glasgow.
For *B. S. Houghton, Edward Francis.*

London, 16 April 1854.

Enclosure 3, in No. 19.

Encl. 3, in No. 19.

GENTLEMEN who have resided for years in *Mauritius*, and now in *London*.

	Firm.	*Address.*
Ed. Francis B. Houghton	Houghton & Francis	New City Chambers.
A. Steel	S. Baker & Co.	147, Leadenhall-street.
R. Jack A. Gardyne	Gardyne & Co.	New City Chambers.
H. Holmes	Irving & Co.	Gresham-place, King William-street.
S. Rose	Rose & Co.	Mincing-lane.
G. Ireland	Hunter & Ireland, Mauritius,	Arbuthnot & Co., Great Saint Helen's.
R. Macfarlane	Macfarlane & Bullen, of Mauritius.	Laroche & Co., 147, Leadenhall-street.
Robt. Hastie & Co., of Glasgow.		

— No. 20. —

No. 20.
F. Peel, Esq., M. P. to A. Hastie, Esq., M. P.
3 July 1854.

COPY of a LETTER from *F. Peel*, Esq., M.P., to *A. Hastie*, Esq., M.P.

Sir, Downing-street, 3 July 1854.

I AM directed by Secretary Sir George Grey to acknowledge the receipt of your letter of the 20th ultimo, accompanied by a memorial from Mr. J. Stuart Brownrigg, and another from some merchants and other gentlemen residing in London, praying for that gentleman's restoration to the colonial service in Mauritius, from which he has lately been removed for misconduct.

Sir George Grey desires me to inform you, that as his predecessor appears to have given a very careful consideration to Mr. Brownrigg's case, and could find no reason for modifying the decision which he had formed as to the propriety of his dismissal, he must decline to re-open the case.

I enclose for your information a copy of the letter which I addressed to Mr. Brownrigg on the 12th instant, conveying the Duke of Newcastle's decision.

I have, &c.
(signed) *Frederick Peel.*

— No. 21. —

No. 21.
J. S. Brownrigg, Esq., to Sir G. Grey, Bart.
31 July 1854.

COPY of a LETTER from *J. S. Brownrigg*, Esq., to the Right Honourable Sir *George Grey*, Bart.

50, Lower Brook-street, Grosvenor-square,
Sir, 31 July 1854.

I BEG to acknowledge Mr. Under Secretary Merivale's letter of the 12th ultimo, which I had the honour to receive on the 17th of last month, conveying his Grace the Duke of Newcastle's reply to my letter of the 31st of March last.

The very peculiar circumstances of my case, will, I trust, plead in excuse for trespassing upon your valuable time for a few moments, whilst I earnestly urge upon your serious attention and consideration a few remarks upon the letter under acknowledgment.

Mr. Merivale is pleased to observe that his Grace the Duke of Newcastle "could find no reason to rescind his former decision," a decision viewed by the community of Mauritius, and by all those in this country acquainted with the case, as an unmerited act.

Certain vindictive and malicious allegations were made against me by a misguided individual, who had been dismissed from the Post-office for habitual inebriety and bad conduct; his allegations were inquired into by a committee appointed by the Governor; and upon their report, and with all the facilities of obtaining full and precise information upon every point at command, his Excellency

Excellency was pleased, after inflicting upon me a heavy penalty, to inform me that the matter was finally closed and disposed of, and so I therefore considered it; after the lapse, however, of several months, the clerk Connor, in the hope of being re-employed (as he stated to the Governor), memorialised Her Majesty's Secretary of State for the Colonies, and the Duke of Newcastle, without even a reference to the Governor, revoked my appointment, to my consternation, and to the great and undisguised astonishment of every one in the colony, from the Governor downwards. On my return to England in the hope of obtaining justice, his Grace refused to see me, and turned a deaf ear to all the representations in my favour, and on the day of his vacating the Colonial Office, after having left me in a state of the most anxious suspense for two months and a half, directed me to be acquainted "that he could find no reason to rescind his former decision." But I humbly submit, do not the following facts alone furnish more than one reason?

1st. That I had already been severely punished by the infliction of a heavy penalty, the payment of which placed me under serious loss and inconvenience.

2d. That the Governor had not preferred any complaint whatsoever against me.

3d. That his Excellency's sentiments upon the subject, as communicated to his Grace, were favourable to me.

4th. That I had carried on the duties of my office, to the entire satisfaction of the Governor, for 12 months after the matter had been adjudged by his Excellency, who informed me that it was finally closed and disposed of.

5th. That the Governor did not consider that there was any moral or legal culpability attaching to me, an opinion shared in by the Committee of Inquiry.

6th. That my testimonials for zeal and integrity were of the highest character.

Yet in face of such strong and undeniable points in my favour, the Duke of Newcastle set aside all the recognised principles of justice, and inflicted upon me a second and still more grievous punishment, for the same faults which had already been adjudged by Her Majesty's representative in the island.

Is such a proceeding right or liberal? is it what any judge or court of law in the land would consider fair or honourable treatment? Certainly not, and I think that I have therefore every reason to consider the act of your predecessor, in punishing me twice for one and the same fault, as unjust and unnecessarily cruel to a public officer and father of a family; and I should here state, that on the Duke of Newcastle's despatch being received in the colony, his Grace's treatment of me was pronounced to be "inconceivable" by one of the Committee who had investigated the whole of the matter.

For 10 years I laboured with an indefatigability and zeal but few in a tropical climate would have done (as every one in the colony would testify to) to raise the department placed under my direction into one of utility to the public. In July 1843, when I first took charge, it was a post-office only in name, a fact well known; now it is a very important and efficient department, and solely through my unwearying exertions, which have been flatteringly alluded to in several of the reports of the financial officers of the colony.

And what has been the return made? I have been deprived by the Duke of Newcastle of that office, and thrown upon the world at my time of life, with a family, without the means of maintaining them.

Although your predecessor has thought proper to reject every reason and every representation addressed to him in my favour, and holds to his first act, I do still hope for justice at your hands, and that you will be kindly pleased, by nominating me to some other appointment, to afford me the opportunity of showing that the high opinion entertained of me by all who have a knowledge of me for integrity and zeal as a public officer is well grounded; and in this hope I earnestly entreat your most serious consideration of the several letters which I had the honour to address to his Grace the Duke of Newcastle, under date December 1853, January 23d, February 20th, and March 31st, 1854; and also of the despatches from his Excellency Governor Higginson, or a reference to that gentleman himself, as he is now in England, and a further consideration of the

memorial from the Mauritius merchants at present in London, forwarded to yourself by Mr. Alexander Hastie, M. P. for Glasgow, on the 3d instant.

In conclusion, I respectfully solicit the honour of an interview, in order to my affording any and every explanation that you may deem necessary, and in again expressing the strong hope I entertain of receiving justice and redress at your tribunal,

I have, &c.
(signed) *J. Stuart Brownrigg.*

—No. 22.—

No. 22.
J. S. Brownrigg, Esq., to Sir G. Grey, Bart.
12 Sept. 1854.

COPY of a LETTER from *J. S. Brownrigg*, Esq., to the Right Honourable Sir *George Grey*, Bart.

Sir, Upton Park, Slough, 12 September 1854.

WITH reference to the letter that I had the honour of addressing to you, upon the 4th* ultimo, relative to the peculiar and extreme hardships of my case, and anxiously trusting that I may not have appealed in vain to your justice, I take leave to respectfully bring under your notice an appointment in Mauritius that has recently become vacant in consequence of the demise of the late Mr. Thomas Kelsey, receiver of registration dues, &c., in the humble hope that you will be disposed to listen favourably to my solicitations for re-employment, and be graciously pleased to nominate me successor to that gentleman, in consideration of the strong claims my family has upon the Government for wounds and important services, the high character I bear, and the zeal and assiduity I for so many years manifested in the colonial service of Her Most Gracious Majesty, as shown by my testimonials and the merchants' memorial, the former sent in on the 20th of February and the latter upon the 13th of June 1854.

In my letter of the 4th* of last month I earnestly entreated your perusal and consideration of the several letters I did myself the honour to address to your predecessor, urged a reference to his Excellency Governor Higginson, as I now also do to the honourable the officer at present administering the government of Mauritius, requested a consideration of the merchants' memorial in my favour, and respectfully solicited the honour of an interview.

I now beg respectfully to observe, for your information and satisfaction, that I can offer security to any amount for discharging with integrity, zeal, and fidelity the duties of any responsible office it may please you to appoint me to.

And, in committing my present and previous appeal to your favourable consideration, I anxiously await the honour of a communication.

I have, &c.
(signed) *J. Stuart Brownrigg.*

—No. 23.—

No. 23.
T. F. Elliot, Esq., to J. S. Brownrigg, Esq.
13 Sept. 1854.

COPY of a LETTER from *T. Frederick Elliot*, Esq., to *J. S. Brownrigg*, Esq.

Sir, Downing-street, 13 September 1854.

I AM directed by Sir George Grey to acknowledge the receipt of the letter which you addressed to him on the 31st July in reference to your dismissal from the office of Postmaster at Mauritius, and applying for re-employment in the public service.

I am to acquaint you, in reply, that Sir George Grey has carefully considered the official correspondence respecting your case, and especially the report of the Committee appointed by the Governor of Mauritius to inquire into the irregularities with which you were charged, and the Governor's Minute on that report, in order to satisfy himself whether there were sufficient grounds to justify a reversal of the decision which had been adopted by his predecessor, and to which the Duke of Newcastle had felt it his duty to adhere.

With

* Qu.: incorrect date? (*vide* Letter of 31st July, page 38).

With reference to your allusion to the source from which the charges against you proceeded, Sir George Grey finds that the committee adverted to the fact of these charges having originated from spite on the part of the clerk Connor, and that the Governor also stated in his Minute that he had not failed to give due weight to the same circumstance. The committee, however, after making due allowance for this fact, arrived at the conclusion that you had been guilty of great and very blameable irregularities, and the Governor in his Minute recorded his opinion that your explanations were unsatisfactory, and that amidst conflicting evidence and reluctant testimony, which made it hardly possible to get at the truth, facts sufficient had been elicited, and indeed admitted by you, to convict you of grave and reprehensible irregularities, and to produce an unfavourable impression of the looseness and disorder with which certain of your duties had been conducted.

It was under these circumstances that the Duke of Newcastle felt that the interests of the public service required your removal.

It is true that the Governor stated that he did not think that it was necessary to suspend you from office, or that he was warranted in recommending your dismissal from the public service.

He said, however, that, in determining the measure of punishment, he was not without misgiving that it might be considered inadequate to the very reprehensible character of the official irregularities proved to have been committed by you.

Sir George Grey does not find in Governor Higginson's despatches any statement that he had informed you that the matter was finally closed and disposed of; such an intimation would, in fact, be scarcely consistent with his duty pending the consideration of the case by the Secretary of State.

I am, therefore, to acquaint you, that on a review of the whole facts as they appear from the correspondence before him, Sir George Grey regrets that he does not feel that it would be consistent with his duty to reverse the decision of his predecessor.

However much Sir George Grey may regret the position in which you are placed, he considers that it would be very injurious to the public service if he were to restore you to an official situation from which you had been removed on the grounds above stated.

It is evident that the same cause must, to a considerable extent, operate against your re-employment in the same branch of the public service.

I have, &c.
(signed) *T. F. Elliot.*

P.S.—Sir George Grey directs me to acknowledge your further communication of the 12th instant.

— No. 24. —

No. 24.
J. S. Brownrigg, Esq., to Sir G. Grey, Bart.
23 Sept. 1854.

Copy of a LETTER from *J. S. Brownrigg*, Esq., to the Right Honourable Sir *George Grey*, Bart.

Sir, Upton Park, Slough, 23 September 1854.

I have the honour to acknowledge the receipt of Mr. Assistant Under Secretary Elliot's communication of the 13th instant, which you directed to be sent in reply to my letter of the 31st of July last.

In expressing my acknowledgments for the considerate and courteous manner in which it is couched, I would crave a few moments of your valuable time whilst submitting for your most serious attention a few very important points which appear to have been overlooked, and which, under my peculiar and painful circumstances, I feel it not only incumbent upon me, but necessary to urge upon your consideration.

Preliminary thereto I would, with reference to the Committee of Inquiry's proceedings and their Report, remark, that when a court of inquiry is formed to investigate allegations brought against any one, it surely is only right and proper that the accused should be previously placed in possession of all the charges laid

against him; moreover, that he should be present to confront his accuser, and put any reasonable questions. In all civil and military courts such is not only the practice, but the accused is, besides, permitted to have with him a competent adviser. In my case, only one of the allegations made against me by the clerk Connor was communicated to me, viz., that concerning the peon; I was therefore in complete ignorance of there being any others, and I was not allowed to be present during the investigation, consequently, debarred those advantages which, in all justice and fairness, I was entitled to; and as for the report, it was to me a sealed book; its strain and contents were therefore unknown to me until after the despatch revoking my appointment was received, when, as a special favour, I was given a copy. It is a document by no means impartial, as it ought to have been; for it is evident enough that whilst doubts are cast upon the testimony of the respectable employés of the department, a large amount of credence is given to the statements of two degraded men, full of revengeful feelings, and, moreover, not examined upon oath; besides, it is, for the most part, filled in with unfair inference and conclusions, instead of facts. As to why the committee should have used any invidious expressions, particularly that of "reluctant testimony," I cannot comprehend; but where truth is opposed to falsehood and spite, I can well imagine the evidence may have been, as a natural consequence, conflicting. The Report is, in many other respects, objectionable. However, the committee, in their summing up, considered that I had committed two or three blameable irregularities.

I admit that an omission or irregularity occurred, for which, as head of a department I was responsible, and which I deeply regretted; but it should be borne in mind that neither loss nor inconvenience of any kind whatever resulted therefrom to the Government, and, moreover, that the Governor did not even deem them of sufficient importance or gravity to form the subject of a reference to Her Majesty's Secretary of State, but with the said Report before him, and the means at hand of being fully and precisely informed upon every point—

Is it not true that his Excellency adjudged the matter and punished me?

Is it not also true that, agreeably to the Governor's decree, I paid into the Colonial Treasury 117*l.* 12*s.*, the amount of the penalty imposed upon me? and which, I beg to state, never belonged to the Government, but was taken out of my pocket, to my serious loss.

Is it not also true that, for 12 months after the inquiry had closed, I continued to carry on as usual the duties of my office to the entire satisfaction of the Government?

Is it not also true that the Governor never made to the Secretary of State any complaint whatsoever against me?

And is it not equally true that my testimonials for zeal, assiduity and integrity, from some of the highest authorities in the island of Mauritius and others, are most flattering and creditable to me?

These are incontrovertible facts, which I am most anxious to urge upon your attention and consideration; and when to these facts is added the statement made by Governor Higginson, which you have before you, "That he did not think it necessary to suspend me from office, and that he was not warranted in recommending my dismissal from the Government service." And again, when I find in the Governor's communication to me, under date 1st October 1852, a clear and distinct intimation that the matter was closed and disposed of, or, in other words, was terminated, in the following extracts, when informing me of the clerk Connor's application to withdraw his memorial to the Secretary of State. His Excellency says, "he is aware of no objection to permission being granted, especially as these accusations have been investigated by a committee of inquiry, and orders issued thereon which renders further notice of them unnecessary; and his Excellency has only, moreover, to observe in respect of the remarks offered by you on Mr. Connor's memorial, that some of your conclusions are erroneous and at variance with the committee's report (at that time a sealed book to me), but the matter having been disposed of, the Governor has no desire to re-open it."

Now, I respectfully submit that I have, under all these circumstances, good and sufficient grounds for complaint and remonstrance against the cruel act of your predecessor, in having inflicted upon me a second punishment in a matter that had been adjudged and disposed of by Her Majesty's representative in the colony,

colony, and in which I had already been severely punished by censure and fine; a line of proceeding so much at variance with every recognised principle of British justice, that I feel persuaded Her most gracious Majesty would never have sanctioned it. In truth, Sir, your predecessor has done me a grievous wrong.

And, with reference to the punishment inflicted by the Governor, I would observe, that not only was it considered by the community of Mauritius an extreme measure, but his Excellency himself deemed it a most severe one; for, in his reply, under date the 31st of July 1852, to my appeal to be relieved of the heavy pecuniary penalty, and in declining to accede to my request, his Excellency says, "that I may rest assured that the regret experienced by me at learning the conclusions at which he had arrived was not greater than that felt by himself at having been compelled to visit with so severe a mark of censure;" and further on, in the same communication (thinking, I suppose, that the punishment he had awarded might perhaps have been over-severe) observes, "But it is possible that a more lenient view of my proceedings may be taken by the home authorities; and if I should require it, the execution of the order for the surcharge would be suspended, pending a reference to Her Majesty's Secretary of State; and that he was not only ready to submit my appeal to indulgent consideration, but would be gratified to learn that it was attended with success." For the sake of peace, and having a high respect for his Excellency, I declined giving any further trouble in the matter, and paid the penalty.

The Governor having so expressed himself to me, and having, as I before observed, stated "that he did not think it necessary to suspend me from office, and that he was not warranted in recommending my dismissal from the public service," I feel, I must say, at a loss to reconcile these facts with his having said, as you inform me, "that, in determining the measure of punishment, he was not without a misgiving that it might be considered inadequate."

However, the matter had been decided and disposed of by the Governor, and I suffered from the severity of the punishment inflicted by his Excellency; and there, in all honour and justice, the matter was ended.

I would furthermore observe, that your predecessor's despatch, depriving me of my office, was written in notice of a memorial from the dismissed clerk Connor, and not in consequence of any complaint made against me by the Governor; and it was, moreover, written without any reference whatever having been made to or from his Excellency or the Board of Council of the colony, and without even an inquiry as to my character, and because your predecessor should have formed a different opinion from the Governor in a matter that so high and competent authority as his Excellency, fully informed upon every point, had already disposed of, was it honourable or just that I should be made the victim, and punished a second time? Such an act, Sir, is, I maintain, so replete with injustice as scarcely to be credited.

If, through a warped and mistaken view of my case, a glaring act of injustice has been committed, I feel confident that the high Christian and liberal feelings, and strong sense of honour and equity, which are your known characteristics, will dispose you to befriend the injured. The power to redress my wrongs is vested in you, and I humbly and earnestly pray of you to be pleased to exercise it in my behalf, by nominating me to the appointment now open in Mauritius in consequence of Mr. T. Kelsey's death, or to any other elsewhere that may become vacant; and you may rest assured that it will ever be my anxious desire to serve Her most gracious Majesty with that zeal and assiduity for which I was noted in Mauritius, and prove myself an efficient public officer, and worthy of your countenance.

Apologising for having trespassed so long upon your time,

I have, &c.
(signed) *J. Stuart Brownrigg.*

— No. 25.—

No. 25.
T. F. Elliot, Esq., to J. S Brownrigg, Esq.
17 October 1854.

Copy of a LETTER from *T. Frederick Elliot*, Esq., to *J. S. Brownrigg*, Esq.

Sir, Downing-street, 17 October 1854.

I am directed by Secretary Sir George Grey to acknowledge the receipt of your letter of the 23d ultimo.

Sir George Grey desires me to state, that, while he does not think it necessary to continue a correspondence on the subject to which it refers, he must not be understood as acquiescing in the observations contained in your letter on the several points to which you have adverted.

I am, &c.
(signed) *T. F. Elliot.*

— No. 26.—

No. 26.
J. S. Brownrigg, Esq., to Sir G. Grey, Bart.
28 October 1854.

Under date 17th instant.

Copy of a LETTER from *J. S. Brownrigg*, Esq., to the Right honourable Sir *George Grey*, Bart.

Sir, Upton Park, Slough, 28 October 1854.

I have had the honour to receive, through Mr. Assistant Under Secretary Elliot, your acknowledgment of my letter of the 23d ultimo.

In this communication, I am informed "that while you did not think it necessary to continue a correspondence, to which it refers, you must not be understood as acquiescing in the observations contained in my letter, on the several points to which I had adverted."

Had I not felt that I had been treated with unmerited rigour and the greatest injustice, this correspondence would never have arisen, nor would I have continued to urge my case upon consideration, had I not been well assured that my claims rested upon reasonable and undeniable grounds.

The truths and observations, set forth in my several letters, bear so forcibly against the injustice of the act under which I suffer, that I may be excused in remarking, that a simple and sweeping notice in disposal of them, cannot in any fairness or reason be considered as disproving or detracting from the justness and force of the representations, which I have felt myself under the obligation of respectfully submitting.

With patience and hope I have made these several applications to your predecessor and yourself, under the conviction that his Grace the Duke of Newcastle would have found sufficient reason to rescind his former decision, or that you would have seen ample claim for modifying that decision.

I freely acknowledge having laid myself open to censure, in regard of an irregularity having crept into any portion of the routine of a department of considerable detail, which for 10 years I conducted zealously and conscientiously, and with advantage to the Government and the public.

I, at the same time, laid before you the unfair manner in which I was treated from the very commencement, the character of my accuser, and that the utmost that could be proved against me, notwithstanding every unfair inference and conclusion, was one or two irregularities, which could not be shown as having occasioned to the Government any inconvenience or loss whatsoever, but for which I was nevertheless severely reprimanded and otherwise harshly punished by his Excellency the Governor, and in a manner too that I did not consider justifiable, in requiring me to pay into the Colonial Treasury, out of my pocket, money that the Government had no right to whatsoever, although I consented to pay the penalty imposed for the reasons already assigned in one or more of my letters.

I also submitted to you that having been already punished by Her most gracious Majesty's responsible representative in the island, a second punishment was undue, and being contrary to every recognised principle of justice, therefore illegal; I consequently maintain that I have been excessively illtreated, and am the victim of an arbitrary act of power, by which I have been deprived of the means of maintaining myself and family, and my prospects blighted.

There

There are several other points that I endeavoured respectfully to press upon your attention and consideration, namely, my high character for zeal, integrity and assiduity; my 10 years of indefatigable service in a tropical climate; the many and important reforms I introduced into the postal service of Mauritius, which placed the Post-office of that colony in its present efficient state; my having continued to conduct as usual the arduous duties of that department for 12 months after the inquiry had been closed, the Governor having given me to understand that the matter was closed and disposed of; and the valuable services of an old and distinguished military family, of which I am an humble individual.

These circumstances, coupled with the injustice of two punishments, in a matter *res adjudicatu* by the Governor of the colony, and the fact of his Excellency not having preferred any complaint against me, would, I feel convinced, have their due weight in my favour with Her most gracious Majesty.

I again respectfully and earnestly appeal to your tribunal for that justice, which I am sure that you, as a conscientious and honourable man, inwardly feel I have every claim to.

And in the humble hope that you will be induced to reconsider all the representations which I have felt it my duty to urge, and that you will yet be pleased to modify your predecessor's sentence, and nominate me to any situation that may be vacant,

I have, &c.
(signed) *J. Stuart Brownrigg.*

— No. 27. —

No. 27.
J. S. Brownrigg, Esq. to Sir G. Grey, Bart.
30 December 1854.

Copy of a LETTER from *J. S. Brownrigg*, Esq., to the Right Honourable Sir *George Grey*, Bart.

Sir, Upton Park, Slough, 30 December 1854.

Upwards of a year has elapsed since I first appealed for a reconsideration of my case and reversal of the second sentence, upon the grounds set forth in the several applications which I had the honour to address to your predecessor and yourself.

The principal points being that the matter had been adjudged by his Excellency Governor Higginson; that I had already been most severely punished, as expressed by the Governor in his communication to me, under date 31 July 1852; that my character for integrity, zeal and assiduity stands undeniably high, as proved by my testimonials; that the Governor had not preferred any complaint against me; and that for 12 months after the matter had been investigated and disposed of, I carried on the duties of my office to the full satisfaction of the Governor.

Under such circumstances, so strikingly in my favour, I feel that I may be excused for importuning to be relieved from the weight of the second punishment heaped upon me, for surely, Sir, it is not just that two punishments should be awarded and inflicted in one and the same matter, which was officially intimated to me on the 1st of October 1852, as being considered and disposed of.

I therefore respectfully urge the reasonableness of my claims to favourable notice, and again earnestly solicit a further reconsideration of the circumstances adverted to.

I cannot but remark, that had the allegations made against me in the full spirit of malicious revenge, and which the report so unfairly exaggerates and makes the most of, been submitted to a court of law, instead of a committee, of whose proceedings I was kept in profound ignorance, I would have had the advantage of not only fair and open dealing, but protection from pecuniary loss, and a full acquittal upon every charge, as the Governor in his minute grants, except the omission relative to the peon's name upon the abstracts (which were under the

chief clerk's special charge), an error for which, as head of the department, I was responsible, and accordingly suffered a severe punishment through the Governor's decree; surely then the severe reprimand I received, and the payment of a heavy fine, the infliction of which was unquestionably illegal, was ample atonement for an irregularity that was not likely to re-occur, and which entailed neither loss, nor any inconvenience whatsoever upon the Government.

I solicit a reference to Governor Higginson and Lieutenant-general Sutherland, at present administering the Government of Mauritius, fully satisfied that those gentlemen and all connected with the island, officially or otherwise, would testify to my high character as a gentleman, and efficiency as a public officer.

In conclusion, I would express the hope which I indulge, that you will be pleased to modify the terms of the second punishment, and give me some employment, either at home or abroad, to enable me to maintain and educate my family.

I have, &c.
(signed) *J. Stuart Brownrigg.*

— No. 28. —

No. 28.
F. Peel, Esq., M. P. to J. S. Brownrigg, Esq.
19 January 1855.

COPY of a LETTER from *F. Peel*, Esq., M. P., to *J. S. Brownrigg*, Esq.

Sir, Downing-street, 19 January 1855.

I AM directed by Secretary Sir George Grey to acquaint you, in answer to your letter of the 30th ultimo, that having given his full consideration to the whole of the documents in this office connected with your removal from the office of Postmaster at Mauritius, he regrets that he can only refer you to my letter of the 13th September last, in which you were informed of the view which he took of your case.

I am, &c.
(signed) *F. Peel.*

— No. 29. —

No. 29.
J. S. Brownrigg, Esq., to Sir G. Grey, Bart.
27 January 1855.

COPY of a LETTER from *J. S. Brownrigg*, Esq., to the Right Honourable Sir *George Grey*, Bart.

Sir, Upton Park, Slough, 27 January 1855.

I HAVE had the honour to receive Mr. Under Secretary Peel's communication of the 19th instant, acknowledging, agreeably to your directions, my letter of the 30th ultimo, and acquainting me in reply thereto, that you regret you can only refer me to the letter which was addressed to me upon the 13th of September last.

In the letter referred to, and answered on the 23d of the same month, I find that Governor Higginson's reprimand, conveyed to me in his Minute of the 19th July 1852, is quoted as having influenced your predecessor in acting with so much rigour towards me, but, Sir, it should be borne in mind that the strong remarks addressed to me in that Minute formed part of the harsh punishment inflicted upon me by his Excellency in his decision upon the matter, and should not therefore, with any justice, be charged upon me in justification of the cruel treatment I have received.

In the several letters I have had the honour to address to you upon the hardships of my case, I have respectfully submitted the grounds upon which I appeal against two punishments being heaped upon me, and I believe they are both reasonable and undeniable.

The first punishment was in itself not only excessive but illegal, considering the nature of the irregularity, for I maintain that the report, which was so closely kept

kept from my view and knowledge, takes a very exaggerated view of every circumstance, and makes the most of a matter that did not in reality amount to more than an oversight or omission, which originated with the chief clerk who had the special charge of the abstracts, and always represented them as correct. I admit my responsibility as head of the department, but in extenuation plead the continuous pressure of business with which I was overwhelmed, from not having had competent and efficient assistance in an office of such detail, a fact notorious, and of which the Government was fully cognizant, but neglected to remedy by removing the clerk Connor, as had been promised.

I believe there is not a public officer in the island of Mauritius, or any other of the British colonies, who has done more for his department than I did, or exerted himself more to fulfil his duties than I did; yet, for the first and only fault during ten years' hard service, your predecessor, overlooking the fact of my having been already punished, overwhelms and ruins me by the infliction of a second most undeserved punishment, which, under all the circumstances of my peculiar case was undue, cannot for a moment be doubted, and that I am therefore entitled to favourable consideration.

In duty to my suffering family and myself, I feel it to be imperative upon me to importune for a modification of the second punishment, and re-employment either at home or abroad.

Mr. Higginson is, I believe, in London, and to him I would request a reference as to my efficiency as a public officer and my character, both public and private.

In expressing my fervent prayer and earnest hope that you will be pleased to reconsider all the representations I have respectfully addressed to you, and render me justice,

I have, &c.
(signed) *J. Stuart Brownrigg.*

MR. BROWNRIGG.

A COPY of all DESPATCHES and CORRESPONDENCE connected with the REMOVAL of Mr. *J. Stuart Brownrigg* from the Office of POSTMASTER-GENERAL of the Island of *Mauritius*, on the 9th day of June 1853.

(*Mr. Alexander Hastie.*)

Ordered, by The House of Commons, *to be Printed,*
11 *July* 1855.

384.

Under 8 *oz.*

EPIDEMIC (BERMUDA).

RETURN to an Address of the Honourable The House of Commons, dated 20 December 1854;—*for*,

A "COPY of a DESPATCH from the Governor of *Bermuda*, enclosing a REPORT from the Commissioners appointed to inquire into the Origin of the EPIDEMIC which lately prevailed at *Bermuda*."

Colonial Office, 22 December 1854.

FREDERICK PEEL.

(No. 77.)

COPY of a DESPATCH from the Officer Administering the Government to the Duke of *Newcastle*.

Officer Administering the Government to the Duke of Newcastle. 8 July 1854.

Bermuda, 8 July 1854.
(Received, 14 August 1854.)

My Lord Duke,

I HAVE the honour to transmit by this mail the Report of the Commissioners of Inquiry into the causes and origin of the yellow fever which afflicted this colony last year, ordered by Governor Elliot, in pursuance of your Grace's despatch, No. 54, of the 24th October 1853.

2. The report is accompanied by a voluminous appendix containing valuable information, the circulation of which would prove extremely beneficial to Her Majesty's subjects in this colony and in tropical countries generally. Should it appear in this light to your Grace, I would respectfully express a hope that the Imperial Government may cause it to be printed and distributed.

3. But few can, I fear, fail in arriving at the conviction that the fever was engendered at Bermuda. That it was not imported by any of the vessels to which the Commissioners' inquiries were directed is, I think, clearly established. It broke out in so many distant places simultaneously that their investigations have failed in determining its distinct origin; but it appears to have been early foreshadowed by various premonitory symptoms among the convict establishment at the western end of the colony, a decided case having occurred on board the "Tenedos" convict hospital hulk, off Boaz Island, as early as the 5th July. Several other cases took place before the period (16th August) on which the "Thames" convict hulk at St. George's was moved at her moorings, for some days after which it will be seen that the mortality at that place was on the decrease. That hulk was found to have been in a proper condition of cleanliness and ventilation; neither were the discipline or occupations of the convicts on board of her, or at any of the establishments, such as to predispose them to fever more in this than any other year. Masses of human beings, especially of Europeans, must always be the principal attraction and focus of yellow fever, and accordingly it fell with extreme virulence on the convicts and troops, amongst whom separation to a sufficient extent is impracticable.

4. As regards the communicability of yellow fever, 38 evidences in favour of that view are opposed to four against it; but notwithstanding such preponderance, the impression irresistibly remains, that the arguments of the advocates of contagion are not thoroughly conclusive; and that with one exception only, that of the Cooper family, which is at least curious, all the cited cases might have occurred without being ascribed to communicability.

5. That infection was communicated to the troops by the smoke arising from the burning of infected bedding on the beach is disbelieved by the Commissioners; and this conclusion is strengthened by the writings published in the Edinburgh Review by the late eminent Dr. Fergusson, Inspector-general of Military Hospitals. He states that it is proved by direct experiment, that even the concentrated matter of small-pox, cow-pox, and the fomites of scarlatina, are

deprived of all inoculating or infecting power on being subjected to a heat of 140° of Fahrenheit's thermometer.

6. However unwelcome the conclusion that yellow fever is (under certain circumstances of atmosphere and temperature, not yet understood) engendered on the spot, and that despite all that the science and intelligence of man can dictate, such visitations will recur, yet their past infrequency, with the little that has yet been done to avert them, justifies the hope that the predisposition to them is but feeble, and that a slight attention to the generally recognised sanitary requirements of cleanliness, ventilation, sewerage, and dry lodging, would retard their spread, and so far mitigate their intensity as to render them far less formidable than they have been.

7. Unfortunately the bad description of native building materials, the fatal scarcity of water, and the high rate of labour, offer serious obstacles to a sufficiently general adoption of these great discouragements to fever; they are within the means comparatively of but few, and in some instances scarcely attainable under any circumstances; they are with little exception, costly in this country; and these considerations have, I am persuaded, chiefly led to their not being sufficiently regarded; but it is high time they should be acknowledged and insisted upon to the extent that may be practicable; that the means should not be withheld from public departments; and that compulsory enactments should be established both on bodies and individuals. We might thus reasonably indulge more than an expectation that this generally healthy colony would not again experience the infliction of such wide spread desolation as befell it in 1853.

Not Printed.

8. A plan of the town and environs of Saint George's, on a scale of 100 feet to an inch, surveyed and drawn by the surveyor-general of the colony, by order of Governor Elliot, accompanies the report. The hills and high ground are not sufficiently expressed to convey a correct idea of the deep hollow in which the town lies.

I have, &c.
(signed) *Montgomery Williams*,
Lieutenant-colonel Royal Engineers,
administering the Government.

Enclosure No. 1.

Enclosure No. 1.

Sir Hamilton, Bermuda, 29 April 1854.

I HAVE the honour herewith to transmit to you the Report of the Commissioners directed to inquire into the origin and circumstances of the yellow fever which prevailed in Bermuda last year.

To avoid further delay, I have sent in the Report without the appendix, which is in course of being copied, and as soon as this is done it shall be forwarded to you for the purpose of having the originals preserved at Government House, and a copy sent home to England.

I have, &c.
(signed) *S. Oakeley*,
Lieut.-colonel, 56th Regiment,
Chairman.

His Honour the Acting-Governor,
&c. &c. &c.

Enclosure No. 2.

Enclosure No. 2.

Sir, Hamilton, Bermuda, 15 June 1854.

I HAVE the honour to forward to you copy of answers to the printed questions, and other information on the late epidemic fever, the report on which I had the honour to send you some time back. I likewise send the original documents for the purpose of their being preserved at Government House, so that at any future period reference can easily be made to them, should it be requisite.

On the other side I enclose an account of the expenses of the Commission. You will perceive that this does not include any remuneration to the attorney or solicitor-general, nor the amount to be paid to the surveyor-general for his plan of St. George's, as up to this time no plan has been received.

I have, &c.
(signed) *S. Oakeley*,
Lieut.-colonel, 56th Regiment,
Chairman.

His Honour the Acting-Governor,
&c. &c. &c.

ACCOUNT of Disbursements on the Commission of Inquiry directed by Her Majesty's Government into the Origin and Causes of the Epidemic Yellow Fever in *Bermuda* in 1853.

	£.	s.	d.
Mr. D. M'Phee Lee's account, enclosed - - - - -	7	6	3
Various sums paid by Chairman of Commission to witnesses for attending Commission, travelling expenses, &c. &c. - -	5	10	2
Paid for copying proceedings of Commission - - - -	5	-	-
£.	17	16	5

REPORT

Of the COMMISSIONERS on the YELLOW FEVER at *Bermuda* in 1853.

Report on the Yellow Fever of 1853.

To his Honour Lieutenant-Colonel Montgomery Williams, R.E., Acting Governor, &c. &c. &c.

Sir, Hamilton, Bermuda, 29 April 1854.

IN obedience to the instructions conveyed to us in Governor Elliot's letter of the 16th of December, accompanying a commission of the same date, under the great seal of the colony, addressed to Major Byles and ourselves, we have been engaged in the inquiry thereby intrusted to us, which was directed by the Secretary of State's Despatch, No. 54, of the 24th of October last, into the origin and causes of the fatal epidemic fever which prevailed in this colony during the past year, with a view to discover any means by which similar calamities may be prevented or mitigated in future.

2. In the execution of this important duty, we regret that we have been deprived of the valuable co-operation of Major Byles, who was compelled by severe indisposition to leave Bermuda, without having attended any meeting of the Commissioners.

3. In explanation of the apparent delay which has occurred in completing our report, we would respectfully observe, that it having appeared to Governor Elliot and to ourselves, very desirable that printed questions should be circulated among the various public functionaries and private medical practitioners, from whom information was sought, so as to enable them to frame their answers with greater accuracy and deliberation, than could be expected on a summary oral examination, that course was pursued in a majority of cases in addition to the vivâ voce examination of some individuals, when this mode seemed more eligible. But, as many of the returns to be made to us required considerable research, which, from the death of various persons, was attended with difficulty, and as in most instances we had no power of expediting the answers, we have had to await the convenience of the parties, and this circumstance with others consequent upon the late epidemic, has unavoidably retarded our proceedings to a degree much beyond what we had anticipated.

4. With the view of obtaining the fullest information from all quarters, we have requested answers to these questions, not only from the principal military and medical officers of the garrison, the naval yard and the convict establishment, but also from the local Boards of Health, the health officers, the parish vestries, the officers connected with the prisons and police, and private medical practitioners; and where the elucidation of any particular circumstance seemed to require it, we have endeavoured to obtain the evidence of other persons most conversant with the matter. The details of this body of evidence will be found in the appendix accompanying this report.

5. We conceive that the most convenient mode of submitting the results of our investigation, will be to offer a condensed statement of the principal events connected with the epidemic, in the order in which they occurred, with such suggestions as we trust may tend in some degree to prevent the recurrence of the evil.

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6. During the summer of 1853, and before the appearance of the fever at Bermuda, the fall of rain had been unusually great, and the heat, attended with much calm weather, continued to a later period of the year than is ordinarily experienced. It was generally remarked that the vegetation was unusually exuberant, and the crops of oranges and other tropical fruits were abundant beyond precedent. Fever to an extraordinary degree of virulence and mortality had prevailed throughout the West Indies, the Bahamas, and at some of the southern ports of the United States of America. And, without ascribing undue importance to the circumstance, we may mention the fact, remarked at the time, that, as in the fever year of 1843, a comet was visible at Bermuda in the height of the summer.

7. As early as the 6th June, Dr. Hall, medical superintendent of the convict establishment, reported to Lieutenant Colonel Phillpotts, R. E., then acting governor of the colony, as follows: "From the many severe cases of dysentery that have been admitted into this hospital during the last two months, I apprehend that much sickness will prevail among the convicts during this summer." Unhappily this anticipation was but two speedily realized, for on the 9th July, Dr. Hall, in reporting the death of a convict from fever, added that a few cases had recently appeared, and on the 16th, that cases were daily presenting themselves of the common type of fever of the hot season, and that although several cases had been admitted, one only had proved fatal.

8. From this period the fever continued to increase among the convicts in the hulks at Ireland Island and the prisons at Boaz Island; 120 cases were admitted into the "Tenedos" convict hospital ship before the 29th August. In consequence of a recommendation then made by Dr. Hall, one of the convict prisons at Boaz Island was appropriated for the reception of convalescents from the hospital ship, and up to the middle of September the epidemic continued unabated among the officers and prisoners there, but the mortality was comparatively small.

9. Among the troops at Ireland Island cases of yellow fever occurred in the latter part of August. Lieutenant Higgon, of the Artillery, was attacked there on the 27th, and ultimately recovered. A private soldier of the 56th regiment was admitted to the Royal Naval Hospital there on 28th August, with yellow fever, and, after being nine days in hospital, recovered.

So long before that time as the 14th July an artilleryman was sent to the same hospital "with dysenteric symptoms, which merged into those of fever, and he died on 22d July." During the epidemic, "131 cases were received" (into that hospital); "39 of them died. Of the individuals, to the number of 419, belonging to the Naval Yard, 29 were attacked by febrile symptoms, but only seven proved to be cases of the epidemic, and they all recovered. There were five cases of the epidemic among 34 persons, forming the families connected with that hospital, two of which five died."

The Commissioners cannot but attribute the remarkable exemption of the residents at the Naval Yard from the epidemic very much to the prompt sanitary precautions adopted by Mr. Ballingall, the naval storekeeper, Mr. Hilditch, the inspector of the hospital, and Mr. Anderson, the civil engineer of the yard, in conjunction with the ample space allowed to each person in the dwellings.

10. The earliest cases of yellow fever among the native population of the colony that have come to our knowledge occurred on St. David's Island; the earliest death was that of Samuel Fox, of St. David's Island, a boy nine years old, who died there on the 2d August, with black vomit. He was the son of Benjamin Fox, a pilot, who lived across the harbour, just opposite to the town of Saint George. It was alleged by some that the fever had been communicated to Samuel Fox from Israel Burcher's family; but, as will hereafter appear, the evidence of his having taken it in this way is exceedingly doubtful. It has also been surmised that Samuel Fox had taken the infection from a parcel of clothing belonging to an elder brother who had died of yellow fever in the West Indies in the early part of the year, which clothing had been brought here from New York in the beginning of May; but the inquiries which the Commissioners have instituted with respect to the case of Samuel Fox show satisfactorily that the clothing, after being brought on shore from the vessel from New York, was placed in an uninhabited house on St. David's Island. About 10 days afterwards

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it was removed to an open place on the sea-shore, at a considerable distance from any inhabited house, there opened, the clothing (which was generally new, clean, and unused) was carefully smoked and washed, then spread out in the open air for two days, and put in a trunk, without having ever been seen or touched by Samuel Fox, nailed up and remained unopened until late in the month of October, nearly three months after the death of Samuel Fox. We think it may safely be inferred that he did not receive any infection from his brother's clothing.

11. Amongst various rumours as to the origin of the fever, one frequently referred to was, that it had been introduced into Bermuda by the steam-packet "Merlin," which vessel arrived here from the Island of St. Thomas on the 25th June. The body of a lady who had died on board was brought on shore, and buried at St. George's on that day. The face of the corpse, when seen on board, exhibited some yellowness. The officiating health officer, Dr. Frederick Hunter, inspected the body, and from that inspection and the representations made to him by persons on board (including a military staff surgeon, who happened to be a passenger), he was of opinion that she had died from the debilitating effects of intermittent fever, arising most probably from a diseased state of the liver. It has been reported that a bundle of clothing was picked up at the sea-shore about this time by Mrs. Davis, the wife of a soldier stationed at Paget Island, near the entrance of St. George's Harbour, and used by her, and that this clothing had belonged to the deceased lady passenger in the "Merlin." Mrs. Davis was attacked by yellow fever on the 13th August, and died on the 20th. Subsequently to her death this report came into circulation; but after the fullest inquiry which the Commissioners have been able to make, they have satisfied themselves that no such clothing ever came into the possession of Mrs. Davis, and that her death was in nowise connected with the "Merlin."

12. Another report with relation to the "Merlin" was, that the family of the pilot of that ship, shortly after her departure from Bermuda, were attacked with yellow fever, and these are supposed to have been among the earliest cases which occurred. The Commissioners have been particularly careful in investigating this point, and in examining Israel Burcher, the pilot, very minutely. His family consisted of himself, his wife, and a young woman living with them. He declares that he himself had no sickness at all; that about a week after the departure of the "Merlin" his wife, and some days afterwards the young woman, were taken with headache and pain in their limbs, used sage tea and warm baths, and got well in three or four days, without calling in a doctor, and he does not believe that they had the yellow fever. In the absence, therefore, of any clear evidence connecting the origin of the fever with the arrival of the "Merlin," the Commissioners cannot ascribe it to that cause.

13. On the 20th August a heavy gale of wind caused the "Thames" hulk, lying at St. George's, to part one of her moorings, and by the change of her position in the bank of mud and filth in which her keel was embedded, raised a stench exceedingly noisome not only to the persons on board but to the occupants of the Royal Barracks, towards which it was blown by the prevailing winds.

14. On Sunday, 21st August, the Spanish war steamer, "Blasco de Garay," arrived at Murray's Anchorage in six days from the Havana, where, as in other parts of the West Indies, the yellow fever had prevailed during the summer of 1853 with great malignity. This ship proceeded from Murray's Anchorage to the Naval Yard at Ireland Island, but being unable to procure a supply of coals there, came into St. George's Harbour on the 22d August for that purpose, where she remained until 30th August, when she left Bermuda for Cadiz. On her arrival here she was boarded by the officiating health officer; the captain and surgeon were interrogated by him, on oath (through the medium of the principal engineer, an Englishman, who acted as interpreter), and in reply to the interrogatories put to them, they both stated that there had not been any death or sickness on board during the voyage, with the exception of a few cases of venereal disease. No death occurred on board of this ship at Bermuda. During her stay here there was a considerable interchange of civility between her officers and the officers of the garrison, dining with each other on board and on shore. Besides these visits, two medical officers of the garrison, on different

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days, went through the ship, and were accompanied by her surgeon to the sick bay, at which time there were no fever patients on board, thus confirming the result of the previous inquiries made by the health officer. The first officer of the garrison at St. George's who took the fever was Assistant-surgeon Deeble, of the 56th Regiment, who was one of those who had been in the sick bay of the "Blasco de Garay;" he was attacked on the 4th September, and after a severe illness recovered on the 8th September. Lieutenant Woodford, of the same regiment, who had also been on board that ship, was attacked with fever, and died on the 12th. On the 17th September Captain Hare died, whose wife had died on the 15th; and on the 20th September Assistant-surgeon Lawson, 56th Regiment; on the 21st, Lieutenant-colonel Robe, R. A.; on the 25th, Lieutenant Greatorex, R. E.; on the 26th, Lieutenant Sykes, 56th Regiment, died. These officers, it is believed, had visited the "Blasco de Garay," but many other officers who had visited that ship did not take the fever.

15. However, before the arrival of the "Blasco de Garay" at Bermuda, Robert Hall, a prisoner in the "Thames," at St. George's, had been taken ill with cholera on the 10th August, and died on the 17th with fever. As usual with prisoners dying in the hulks, a coroner's inquest was held. From the appearance of the body, the coroner was of opinion (as stated in his answers to us) that the man died of yellow fever. The surgeon of the hulk, in his evidence before the coroner, stated "that, in consequence of some obscurity in the symptoms, he had for his own satisfaction had a post mortem examination that morning, when the body exhibited the usual appearance of fever;" and further stated, that he "considered the immediate cause of his death to have been gastric fever." From the appearance of the body after death, Captain Jervis, R. N., deputy superintendent of convicts, "considered it was a case of yellow fever, although denied as such by the medical officer."

On the 18th August another convict was attacked on board that hulk, and died on the 26th; on that day another convict died; on the day before, one guard and one convict had died, and on the day after the number of sick on board had increased to eight officers and 45 convicts. This appears to have excited some anxiety in the town, and before the departure of the "Blasco de Garay" the fever had increased to an alarming extent in the "Thames." On the 22d August, the day on which the Spanish steamer arrived at St. George's, there were 34 sick in the "Thames." On the 29th, when Mr. Howes became the acting overseer of that hulk, he states, "there were 60 cases of fever on board," and "the ship was full of disease." Some cases had also appeared among the military at St. George's, in addition to that of Mrs. Davis, already mentioned. In the first week of September several deaths occurred among the inhabitants of the town of St. George, residing in the immediate vicinity of the "Thames," in the low ground at the foot of the Barrack Hill. Some of the persons who died in this neighbourhood had attended inquests on board the "Thames." From this quarter the disease appeared to creep up the hill, step by step, until it reached Colonel Phillpott's house, on the summit, who died there on the 18th September.

16. There is no reason for believing that there had been any intercourse between the prisoners in the "Thames" and the Spanish steamer, nor should we omit to mention that Surgeon Jones, and Assistant-surgeon Deeble of the 56th Regiment, both agree in not attributing the spread of the epidemic to the "Blasco de Garay."

17. A paragraph has appeared in a London newspaper (the "Spectator" of 22d October 1853), stating that a Spanish mail steamer called the "Velasco," on 17th September (when she rescued some shipwrecked mariners from a raft), had yellow fever on board, and was subsequently placed in quarantine at Vigo; but that the shipwrecked persons did not appear to have suffered from fever. Supposing this to have been the same ship which left Bermuda for Cadiz, on the 30th August, it might be an interesting subject of inquiry to ascertain, whether the yellow fever among her crew was supposed to have been contracted before her arrival at Bermuda, or during her stay here, and the date of the first case which occurred after her departure from Bermuda.

18. It is certainly much to be lamented that at this time a letter appeared in the Bermuda "Gazette," from Dr. Joseph Stuart Hunter, surgeon of the "Thames,"

"Thames," to the editor, dated 29th August, in which he observes: "Reports but too well calculated to create alarm in the present state of public feeling, and recall to memory painful reminiscences of the year 1843, have been industriously circulated in our little community; may I beg the favour of your conveying through your widely circulated journal the assurance that the epidemic at present prevailing among the prisoners of the "Thames" is not the yellow fever; and further, that the disease is neither contagious or infectious."

A week afterwards there appeared in the same paper a letter from Surgeon Innes, dated 5th September (a copy of which is in the Appendix), written with the view of quieting the public mind, and characterizing the disease as a milder form of yellow fever.

The Commissioners are far from imputing any improper motive to these gentlemen. On the contrary, we feel assured that (not then suspecting the malignity of the disease) their object was to prevent any panic in the community, and to avert the ill consequences which are so apt to result from unnecessary alarm on such occasions; and we cheerfully bear testimony to their indefatigable exertions when the danger became more apparent. But it is much to be apprehended that the publication of these letters, at that period, had a tendency to create an erroneous impression respecting the fever, and, by that means, to occasion a disregard of precautions which might otherwise have been used with the most salutary effect.

The same desire to avoid the mischief of creating a panic, no doubt influenced the acting governor (to whose melancholy death we have already adverted) in abstaining from an earlier removal of the convicts from the "Thames," and of the troops from the barracks, than was actually carried into operation.

19. On the 30th August the healthy prisoners in the "Thames" were separated from the sick and removed on board the dockyard craft "Cassius," which had been sent to St. George's for that purpose. On the 4th September the hulk "Weymouth," having been fitted at the dockyard and towed to St. George's, and moored out in the harbour, all the sick and convalescent prisoners were removed to her from the "Thames," and on the 6th September 210 beds, as many blankets and as many hammocks, besides a quantity of prisoners' clothing, by the order of the surgeon of the "Thames," were burnt on the beach at the foot of the cliff on which stand the Royal Barracks. It has been represented to us that this occasioned a very offensive stench at the barracks, the wind blowing in that direction, and the thermometer (as registered at Mount Langton) being at 85° on that day. The Commissioners note these particulars, as they are required to do by Governor Elliot's letter, but do not affirm that this was the cause of any increase of fever among the troops. The burning of the bedding would, under any circumstances, be disagreeable, whether conveying infection or not. We observe that the number of patients admitted to the military hospital during that week, was as follows: On 5th September, 9; on the 6th, 8; on the 7th, 7; on the 8th, 5; on the 9th, 3; on the 10th, 7; on the 11th, 5; on the 12th, 10; and on the 13th, when the force was marched to "Ferry Point," and there encamped, 32 were admitted into hospital. This sudden increase of the number of sick may probably be attributed to the fatigue of the march.

20. On the 2d September all the families of the soldiers of the 56th Regiment were removed to an open field between the barracks and the hospital, with a northern aspect towards the sea.

On the 5th September the convalescents were removed from the military hospital to "Ferry Point." In addition to the Royal Military Hospital, the Garrison Chapel, near the Royal Barracks, had been previously converted into a temporary hospital. After several days' disappointment from the want of sufficient means of transport, and the inclemency of the weather, the greater part of the sick of the 56th Regiment at St. George's were transported to Port's Island on the 25th September. On the 29th September, 35 were conveyed from St. George's to the Naval Hospital at Ireland Island, and soon afterwards the Ordnance Hospital at St. George's was evacuated, the patients being conveyed to Prospect Hill. On the 30th September, the company of the 56th Regiment stationed at Hamilton marched to a range of buildings called "Oxford," on an airy point of land about two miles out of town. This removal of

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the troops from the Barracks appears to have been attended with the most beneficial effects.

21. With reference to the case of the brigantine "Charles," especially adverted to in Governor Elliot's letter to us, it appears that that vessel arrived, with the quarantine flag hoisted, at the Quarantine Ground in the Sound leading to Hamilton, on the 10th October, in 15 days from Demerara for Newfoundland. She was boarded by Dr. Harvey, the Hamilton health officer, who informs us that he interrogated the captain (Taylor), but not on oath; that the dead body of the captain's wife was on board, and was inspected by the health officer, when it exhibited no indication of death having been occasioned by malignant disease. That the captain stated that she had died the night before, after a long illness, and after having gone out to the West Indies from Newfoundland for the benefit of her health, and that he had come into port with the view of having the body buried in consecrated ground. That the health officer suggested her being buried on one of the neighbouring uninhabited islands, which the captain declined. The health officer further states that upon a careful examination of the officers and crew they were apparently in good health, and the captain denied that any one had been ill on board except his wife. The next day the use of a vault in Paget's Churchyard having been offered to the captain, the body was brought on shore in a boat, accompanied by the health officer, and was buried in Paget's Churchyard. The captain then went to a lodging-house in Hamilton, and lived there until the 16th October, when he sailed in his vessel from the Quarantine Ground for Newfoundland. During her stay here, on the fourth day after her arrival, the second mate was taken very ill, and died about two days afterwards, with evident symptoms of yellow fever. He had been visited by the health officer, and was buried on an uninhabited island. Immediately after this man's burial, some of the crew mentioned that they had lost a man by fever while coming from Demerara, and that the crew they had on board, with the exception of two or three, was a fresh crew, as they had lost their former crew by fever at Demerara. On the 27th October a lad died of yellow fever at the lodging-house where Captain Taylor had lived, and on the 28th and 31st two children also died there, and one on the 4th November; but it is fair to observe that a number of deaths from fever had occurred in that neighbourhood before Captain Taylor went there.

The Commissioners cannot but regret that the health officer allowed himself to be imposed upon by the gross misrepresentations made by Captain Taylor as to the previous health of his crew, as a dead body was then actually on board, and the vessel had come from a place where yellow fever is often prevalent; we think he should have exercised the discretion given to him by the quarantine law, of interrogating, upon oath, the captain and others, with such strictness as would in all probability have elicited the truth, and by that means have prevented the burial in Paget's Churchyard, and Captain Taylor being permitted to come to Hamilton. The Commissioners do not, however, attribute the introduction of the fever to this vessel, for, before her arrival, it had prevailed extensively at St. George's, at Ireland Island, and at Hamilton.

22. During the intensity of the epidemic such was the pressure upon the medical officers of the different departments, that it became necessary to call in additional aid. Four of the civil practitioners of the colony were from time to time engaged in the public service, and several assistant surgeons were added to the military and naval staff at Bermuda during the emergency.

The colonial legislature being in session, sums of money were granted and further powers given to the Boards of Health in the towns, and the vestries of the parishes, enabling them to provide temporary hospitals, nurses, medical assistance, and supplies for the poor, and to carry into effect other sanitary regulations. The Boards of Health accordingly adopted various measures for that purpose. A temporary fever hospital was provided in Pembroke Parish; and a new site for a cemetery in St. George's (instead of the over-crowded churchyard in that town) was selected by the parishioners, and has since been granted for that object by the Crown.

23. With reference to the movements of the troops stationed at Ireland Island, we find that "the naval storekeeper having given up a portion of a large new building in the dockyard for their temporary accommodation, it was prepared for their reception," and "on the 27th September, 80 non-commissioned officers and men

men were moved into it from the Casemate Barrack. A careful observation of the men, removing them to hospital on the first symptom of an attack, and unremitting attention to ventilation as far as practicable, together with white-washing of the rooms, and a constant cleansing of the drains, were additional precautions taken to arrest the disease; but the number of cases augmenting, a further separation of the garrison was determined on by Major Oakeley, at that time acting governor. Accordingly, on the 24th October, one officer and 100 non-commissioned officers and men were removed to Tucker's Island, and, on the 28th, another officer and 50 more followed, a portion of them being accommodated in a house, the remainder in tents." Of this force, removed to Tucker's Island, only three were attacked with fever (and those were slight cases of relapse), but the daily proportion "of cases in regard to the numbers of the remaining force" (at Ireland Island), "showed no diminution for nearly a month afterwards, and the disease appeared to gain in intensity and become more virulent." One cause, among others, of the salubrity at Tucker's Island may fairly be deduced from the difficulty of the soldiers obtaining liquor there.

24. On the 31st October the encampment at Ferry Point was broken up, the troops moved from there to Prospect Hill, where another encampment was formed, and a few days afterwards a portion of them to the vacant school building in Devonshire parish (a commodious house on an airy and healthy eminence about the centre of the colony), where they appear to have been entirely exempt from fever.

25. At the Telegraph station at Gibbs' Hill, a non-commissioned officer and three men were posted, who do not appear to have suffered at all from the epidemic; and the party at the Mount Langton Telegraph, consisting of about 12, was equally fortunate, with the exception of the sergeant's wife and one of the men, who had slight attacks.

26. The apprehension of further danger from the fever having subsided, the troops at the outposts, at Oxford and Prospect Hill, re-occupied their former barracks at Hamilton in December, head quarters having been established there. A company marched from the Devonshire schoolhouse to St. George's on 10th January, and near the end of that month that post was finally evacuated by the troops. Those at Tucker's Island returned to Ireland Island on 22d December, since which time the fever has not re-appeared among the troops or the convicts.

27. The epidemic appears to have attained its utmost virulence in the latter part of September and the first weeks of October, although many cases occurred in November, and several down to the very close of the year. And it is remarkable, that although the fever, in the earlier stages of its progress, did not affect the native inhabitants so generally or so fatally as persons from northern climates, yet at a later period, even when on the approach of winter the weather had become cooler, the natives seemed more susceptible of the disease, and the victims among that portion of the community became more numerous.

28. On the 1st July the strength of the garrison was as follows:—

Royal Artillery	Officers	5		
	Men	156		
			161	
Royal Engineers	Officers	5		
	Men	94		
			99	
56th Regiment	Officers	18		
	Men	1,016		
			1,034	
Of the 56th Regiment:	Women	66		
	Children	157		
			223	
				1,517

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The strength of the convict establishment on 1st July was as follows: Ireland Island and Boaz Island, hulks, prisons, and hospital ship:—

Officers	95	
Convicts	1,446	
		1,541
St. George's "Thames" hulk:—		
Officers	21	
Convicts	216	
		237
		1,778

The population of Bermuda (exclusively of the military, naval, and convict establishments), according to the official census of 1st January 1851, was:—

St. George's parish	1,891
Hamilton parish	1,094
Smith's	514
Devonshire	784
Pembroke, including the town of Hamilton	2,235
Paget	1,038
Warwick	983
Southampton	917
Sandy's	1,636
	11,092

* The total number of deaths from the fever, from 1st July to 31st December (as nearly as the Commissioners have been able to ascertain the same), was as follows:—

Of the Garrison:			
Royal Artillerymen		48	
Royal Sappers and Miners (men)		25	
56th Regiment (men)		222	
Commissariat department (men)		2	
Women		29	
Children		19	
			345
Officers:			
Royal Artillery		3	
Royal Engineers		2	
56th Regiment		6	
Commissariat		1	
Ordnance department		3	
Officers' wives		4	
			19
Of the Convict Establishment:			
Convicts		152	
Quartermasters and guards		9	
			161
Of the Resident Inhabitants:			
St. George's parish (very few of whom were natives)		85	
Hamilton parish (none).			
Smith's, child (native)		1	
Devonshire:			
Adult (not native)	1		
Children (native)	2		
		3	
Pembroke (including the Town of Hamilton):			
Adults (not native)	17		
Children (not native)	5		
Children (native)	5		
		27	
Carried forward		116	525

* The relative mortality among the troops at the several stations (which Governor Elliot wished us to ascertain), will appear from the tabular return thereof inserted in the Appendix.

Brought forward - - -		116	525
Of the Resident Inhabitants—*continued.*			
Paget's:			
Adults (not native) - - - - - -	2		
Children (not native) - - - - - -	2		
Children (native) - - - - - -	2		
		6	
Warwick (none).			
Southampton:			
Adults (native) - - - - - - -	2		
Children (native) - - - - - - -	7		
		9	
Sandy's:			
Adult (not native) - - - - - -	1		
Child (native) - - - - - - -	1		
		2	
Ireland and Boaz Island:			
Adults (not native) - - - - - -	2		
Adult (native) - - - - - - -	1		
Child (not native) - - - - - -	1		
Child (native) - - - - - - -	1		
		5	
			138
Total Deaths - - -			663

This estimate of the number of deaths is believed rather to fall short of than to exceed the reality, as, in the larger parishes, some deaths were, no doubt, omitted to be registered, and some arising from the fever probably were attributed to other diseases.

29. Governor Elliot has called our attention to the dreadful mortality at St. George's, and especially of officers and officers' servants in the Royal Barracks. Those quarters were inspected by the Commissioners, who have no hesitation in declaring their opinion that the underground rooms formerly occupied by officers' servants are totally unfit for that purpose. We insert, in the Appendix, a diagram of the officers' quarters over those rooms. It appears to us that the subalterns' quarters would be adequate and sufficiently ventilated if two rooms were thrown into one, but under the existing arrangements, it is obvious to any person inspecting the premises that from whatever quarter the wind may blow, one or the other of those apartments is shut off from the air; and in this climate, during a large portion of the year, must be very unwholesome.

This observation applies with still greater force to the casemate barracks in Fort Victoria, which are not only much below the level of the ground, but from the narrowness of the inner ditch and the double line of fortification, are so nearly deprived of any circulation of air, as to render them, in our opinion, unfit for habitation, more especially in the summer months.

30. The Commissioners took an early opportunity of inspecting the hulk "Thames," and the Royal Barracks at St. George's.

The Appendix will show the opinion to be almost unanimous, in which the Commissioners concur, that the position of the "Thames" was by no means eligible in a sanitary point of view. From measurements taken, at our instance, it is found that she lay aground on a bank where at low tides the depth of water was as follows:

	BOW.	MIDSHIPS.	STERN.
	Feet.	*Feet.*	*Feet.*
Starboard side (in shore) - - - -	6	3	5 ½
Port side (off shore) - - - - -	6 ½	11 ½	11 ½

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	Feet.
The distance of the hulk from the cliff - - - - - -	165
Width of road (along the face of the cliff) - - - - - -	26
Total distance from the hulk to the nearest edge of the parade ground	191
Height of cliff from the shore to the road - - - - - -	58
Height from the road to the level of the parade - - - - -	14
Total height - - -	72
Total height of the hulk from the water to the ridge of the roof over her	40
The distance from the above mentioned edge of the parade to the soldiers' barracks is - - - - - - - - - - - -	161

The foregoing measurements show that at the gangway of the hulk, where the stage led to the shore, the accumulation of mud and filth had reduced the depth of water to about three feet at low tide, and about seven feet at high tide. We have already adverted to the noisome smell produced by the working of the ship on this bank in the gale of the 20th August. When visited by us on the 11th January, the interior of this hulk was found to be in a very satisfactory state of cleanliness throughout, down to the kelson. It was represented to us that her condition was the same at the outbreak of the fever, which is confirmed by Dr. Hall's letter of the 19th December 1853, in which he mentions his inspection of this hulk on the 24th and 25th August. The Commissioners feel it their duty to remark that the two cells called the "black hole," in the lower part of the ship, have no means of ventilation except a small close grating in one, and in the other a sheet of metal pierced with small holes, which we consider in this climate to be not only totally inadequate but positively dangerous. We are, however, informed by one of the witnesses, that no convict had been confined here for more than a few hours at a time for a month or more before the fever broke out. Since our inspection, this hulk has been moved from her former position to moorings in the middle of the harbour, where the ventilation is ample.

31. Before the organization of the commission, Governor Elliot, with the view of exhibiting more clearly the relative positions of the "Thames" hulk, the barracks, the forts, and that part of the town of St. George most severely visited by the fever, had given instructions to the surveyor-general to prepare a plan of that district on a large scale, to accompany our report. In consequence of the minute details in which it was to be executed, the surveyor-general has not yet been able to forward it to us, and we close our report without it, rather than incur further delay.

32. The first subject of inquiry to which our attention is directed by the Secretary of State is, whether the fever had a local origin, and, if so, whether that origin was the position of the convict hulk at St. George's. The detail which we have given of the earliest cases of yellow fever observed in Bermuda in 1853, will show that, before any case had arisen in the "Thames," several had been treated in the "Tenedos" hospital ship, admitted there from the Boaz Island prisons and the hulks at Ireland Island. Dr. Hall refers to one case as early as the 5th July. It must also be remembered, that the cognate diseases of dysentery and cholera had even before that time prevailed extensively among the convicts, both at Ireland and Boaz Irelands, and St. George's, sometimes merging into fever. We would also refer to the previously mentioned cases of Samuel Fox, of St. David's Island, who died there 2d August; and of Mrs. Davis, the soldier's wife, who died at Paget Island on 20th August. Robert Hall, who would seem to have been the earliest case of yellow fever on board the "Thames," died on 16th August. No communication can be traced between these several parties.

When we find that the fever broke out in different and distant parts of the colony so nearly simultaneously, we cannot ascribe its origin solely to the position of

of the Thames, nor to anything peculiar to the town of St. George, although the defective sanitary condition of some parts of that town rendered it but too liable to aggravate any disease which might show itself.

33. A very general belief is entertained in the community, and participated in by persons of much intelligence and experience of former epidemics, that this fever was imported from abroad. Without undertaking to affirm that yellow fever could not be so imported, the evidence in support of that opinion, as applied to this occasion, has not been such as to satisfy the Commissioners that it was so introduced; and this point is still left involved in much obscurity.

34. On the second head of inquiry, directed by the Secretary of State, nothing has come to our knowledge leading us to believe that the interior of the "Thames" was deficient in a proper state of cleanliness and ventilation, with regard to the sleeping berths and bedding, or other arrangements. The evidence before the Commissioners shows that the epidemic was very much aggravated, both in the number and severity of the cases, by the inadequate hospital accommodation on board of the "Thames" for the sick there. It will be remembered, that this ship lay at a distance of 14 miles from the convict hospital ship "Tenedos" at Boaz Island, and that patients could only be transported thither in boats, subject to the uncertainty and inclemency of travelling on an open sea. We need not repeat here the observation in the Appendix on the necessity of separating the sick from the healthy. But even independently of that consideration, we feel it our duty to point out the absolute necessity of providing some more adequate hospital arrangements for the convicts at St. George's.

35. With regard to the inquiry whether there was anything in the conduct, discipline, or occupations of the convicts which could have predisposed them to fever, we have only to call attention to the expediency of sparing them as much as possible from the quarry labour during the hottest period of the year. This partial remission of labour was adopted in the past summer, on the recommendation of the medical superintendent of convicts.

36. On the fourth subject of inquiry, whether there is any evidence of the malady having been contagious, the Commissioners would especially refer to the answers, in the Appendix, of Mr. Hilditch (deputy inspectorof the Royal Naval Hospital), Dr. Hall (medical superintendent of convicts), Dr. Warner and Mr. Beck, of the same department; Surgeon Parratt, of the ordnance, P.M.O.; Surgeon Innes, 56th Regiment; Assistant Staff Surgeon Munro, Assistant Surgeon Deeble, 56th Regiment. Among the local physicians and surgeons, the answers of Dr. Hunter, Dr. Adolphus J. Harvey, Dr. Hunt, Dr. Parke Tucker, Dr. Godet, Assistant Surgeon Gray, R.N., and also the answers of Mr. Ballingall, naval storekeeper.

These answers show that the persons whom we have named, who had ample opportunities of observation during the recent visitation, and some of them during previous epidemics, and whose competency to form a correct judgment upon the facts cannot be doubted, all concur in the belief that this fever was, under certain circumstances, communicable. Assistant-surgeon Wells, R.N., Assistant-surgeon Lilburn, R.N., Assistant-surgeon Dickey (convict establishment), Assistant-surgeon Knox, 56th regiment, and Dr. Henry J. Hinson, a resident physician, whose experience and judgment entitle them to much consideration, take a different view of this question. Among numerous other cases which happened while the fever was raging was that of the family of Mrs. Cooper, mentioned in the evidence of her husband (Mr. Isaac B. Cooper) and Dr. Parke B. Tucker, and frequently referred to by others. She went to St. George's from a distant parish, where no fever then existed; attended her son for two days, who died at St. George's; returned to her home, was taken with the fever there four days afterwards, and died eight days after her son. Within three weeks from her death, two of her children were taken with the fever, of whom one died; and shortly after his death another daughter was taken with the fever, and recovered after having had black vomit. Up to this time no other case of fever had occurred in this district of the country; and it is observable that this was a family of native Bermudians, who in general are less susceptible of yellow fever than the natives of northern climates.

37. We have already endeavoured to trace, as directed by Governor Elliot, the movements of the several bodies of troops after the dispersion of the garrison

Report on the Yellow Fever of 1853.

from the barracks. It cannot fail to be observed, from the particulars stated in the Appendix, that on one point, viz., the beneficial effects resulting from the separation of the force, and their removal in small parties to airy and healthy localities, all the witnesses, medical, military, and civil, including the local functionaries and persons of greatest experience in the colony, are entirely agreed. This naturally leads us to suggest (in addition to the propriety of affording ample space and ventilation, and observing strict cleanliness in all places where numerous bodies of either soldiers or convicts are congregated) the importance of making timely provision for the separation of the troops whenever the advance of the season or the appearance of any premonitory sickness may induce an apprehension of epidemic disease. In connexion with this point, we are reminded, by the difficulty and delay unavoidably experienced last year in the removal of the convicts and troops when that measure was finally decided upon, of the inadequate means of transport at present available for that purpose, and the desirableness of increased facilities of this nature.

38. Considering the great preponderance of the opinion as to the communicability of yellow fever, of the type which prevailed here last year, and the certainty that small-pox and other eruptive fevers are contagious, and can be imported into this colony from some of the countries from which we are distant only a very few days' sail, the Commissioners are convinced that more stringent and effective quarantine regulations than those which now exist would be conducive to the public welfare. The enforcement of quarantine laws must of course in great measure depend upon the vigilance and activity of the health officers, and it seems unreasonable to expect from those functionaries in Bermuda a great sacrifice of their time and exercise of their skill in the performance of duties laborious, responsible, and at times exceedingly invidious, when we look at the scanty emoluments at present annexed to their office. The Commissioners learn that the fees of each of the health officers, on an average of several years past, have not exceeded 5*l.* per annum. The suggestions made by the provost-marshal general, that these officers should be amply paid, and the place held in conjunction with some military or naval appointment, and the office disconnected from all other sources of profit, appear to the Commissioners deserving of much consideration. But in carrying into execution quarantine laws with any degree of strictness, it is impossible to overlook the necessity of providing at the ports, on some insular and detached spot, suitable quarantine houses. It appears to us inhuman to require the crews and passengers of vessels filled with infection, at the risk of their lives, to remain on board, in narrow cabins, unattended by nurses, and unprovided with articles of the first necessity. If quarantine laws are to be enforced (and if not enforced, they had better be abandoned), some provision should be made for the accommodation on shore of persons arriving here in vessels subject to quarantine; and without some such provision, the Commissioners apprehend that all quarantine laws will become nugatory.

39. In conclusion, the Commissioners cannot but feel that in making this report, at the termination of the important inquiry confided to them, they have been compelled to give but a faint outline of the great mass of facts, opinions, and suggestions collected in the course of their investigation; and they venture to hope that the fuller details contained in the Appendix, and especially in several of the able and instructive returns with which they have been favoured, will in great degree supply this deficiency, and tend to the adoption of measures which, under Divine Providence, may be not wholly ineffectual in protecting this little community from a recurrence of the fearful malady with which it has been so heavily afflicted, and in restoring its wonted character for salubrity.

We have, &c.

(signed) *S. Oakeley*, Lieut.-colonel 56th Regt.
John Harvey Darrell, Attorney-general.
D. Stewart, Solicitor-general.

APPENDIX

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No. 1.

(No. 54.)

Sir, Downing-street, 24 October 1853.

Her Majesty's Government are desirous that immediately on your arrival at Bermuda, the government of which you are about to resume, you should institute a careful and searching inquiry into the origin and causes of the frightful mortality from yellow fever of which we have received accounts by the last mails.

This inquiry should be directed not merely to ascertaining whether there was any culpability on the part of the officers in charge of the convict and other establishments, but with a view to discover any means by which similar calamities may be prevented or mitigated in future.

The special points to which your inquiries should be directed are,

First, Whether the fever had a local origin, and if so, whether that origin was the position of the convict hulk at St. George's Harbour, which is represented to have been moored close to the shore and embedded in filth, in which her position had recently been slightly changed by shortening the mooring chains.

Secondly, Whether the condition of the interior of the ship was in a proper state of cleanliness and ventilation, especially with regard to the sleeping berths and bedding.

Third, Whether there was anything in the conduct, discipline, or occupations of the convicts which could have predisposed them to fever.

Fourth, Whether there is any evidence of the malady having been contagious.

These inquiries should not be confined to the convict hulk, but should extend to every other probable source in which the fever could have originated.

You will call upon the medical officers and others in the different departments of your Government to supply you with all the information which it may be in their power to afford on this subject, and embody the whole, with your own observations, in a faithful report.

I have, &c.
(signed) *Newcastle.*

Governor Elliot,
&c. &c. &c.

No. 2.

(L. S. M.)
(signed) *Charles Elliot.*

Bermuda *alias* Somers' Islands. By his Excellency *Charles Elliot*, Esquire, Captain in the Royal Navy, and Governor and Commander-in-Chief in and over these Her Majesty's Bermuda or Somers' Islands, &c. &c. &c.

To Major *Soulden Oakeley*, of Her Majesty's 56th Regiment of Foot, commanding Her Majesty's Troops in the said Islands, *John Harvey Darrell*, Esquire, Her Majesty's Attorney-general for the said Islands; *Duncan Stewart*, Esquire, Her Majesty's Solicitor-general for the said Islands, and Major *Arthur William Byles*, of Her Majesty's 56th Regiment aforesaid, greeting;

Whereas a malignant fever has prevailed in these Islands during the summer and autumn of the present year, which has been attended with great mortality, especially

especially among Her Majesty's land forces stationed in these islands, and the convicts transported here from the United Kingdom to be kept to labour upon the public works, and the officers of those establishments. And Her Majesty's pleasure has been signified to me the Governor aforesaid, in a despatch from his grace the Duke of Newcastle, one of Her Majesty's Principal Secretaries of State, bearing date at Downing-street, the 14th day of October now last past, that I should institute a careful and searching inquiry into the origin and causes of that mortality, and with a view to discover any means by which similar calamities may be prevented or mitigated in future: Now, therefore, know ye that I, the Governor and Commander-in-chief aforesaid, by virtue of the power and authority in me vested for the good government and chief command of these islands, and in pursuance of the instructions communicated to me as aforesaid, have thought fit to constitute and appoint, and by these presents do constitute and appoint you the said Soulden Oakeley, John Harvey Darrell, Duncan Stewart, and Arthur William Byles, jointly and severally Commissioners, and do hereby authorise and empower you by all lawful ways and means whatever, to make inquiry into the origin, causes, and particular circumstances of the malignant fever aforesaid, and of any means by which similar calamities may be prevented or mitigated in future; and especially to inquire whether there was any culpability on the part of any of the officers in charge of the convict and other establishments aforesaid, with reference to that mortality, and whether the fever had a local origin; and, if so, whether that origin was the position of the convict hulk "Thames" at St. George's Harbour; whether the interior of that ship was in a proper state of cleanliness and ventilation, especially with regard to the sleeping berths and bedding; whether there was anything in the conduct, discipline, or occupations of the convicts which could have predisposed them to fever.

Whether there is any evidence of the malady having been contagious, and further to inquire into every other probable source in which the fever could have originated; and to report to me upon all and singular the matters aforesaid without delay. And all officers civil and military in the said islands are hereby required to be aiding and assisting unto you in conducting the said inquiry; and for so doing this shall be your warrant.

Given under my hand and the Great Seal of these Islands, this 16th day of December 1853, and in the 17th year of Her Majesty's reign.

By His Excellency's command,

(signed) *Robert Kennedy.*

No. 3.

Gentlemen, Clarence Hill, Bermuda, 16 December 1853.

I HAVE the honour to forward to you a commission under the seal of the colony, authorising and empowering you to conduct the inquiry directed in the Secretary of State's despatch, No. 54, already transmitted to you in my letter of the 7th instant.

2. I have not associated any medical officer with you, because it has appeared to me, after much deliberation, that it would be better for all the ends in view, as well as more satisfactory to those gentlemen, that they should have the opportunity of stating the result of their personal observation during the late or any other fever of a similar kind, in the medical treatment of which they have taken a part, and any opinions they may have formed upon that experience, by the way of written replies to written questions. But in all cases where you may consider it necessary for enabling you to exhibit a more distinct statement of testimony and the conclusions founded upon it, you will of course pursue the subject by *vivâ voce* examination.

3. In order that you may clearly apprehend the extent and description of information which it seems to me Her Majesty's Government will desire to obtain concerning the origin of the late dreadful visitation, and the concurrent causes which may be supposed to have aggravated it, I transmit the accompanying list of questions for your disposal.

Appendix.

4. You will be so good as to understand it to be my wish that these, or any other questions which you may decide to put, in the first place, should be printed with a sufficient proportion of blank leaves interposed for the convenience of inserting the replies. A certain number of copies will then be sent to the heads of the several medical departments in the colony, viz., the deputy-inspector of the naval hospital, the principal medical officer, and the medical superintendent of the convict establishment, requesting that the papers may be circulated amongst the medical officers under their authority, who have been engaged in the treatment of the sick during the late epidemic, and returned to the Commission as soon as they have been filled up. I would also wish that separate copies of questions which the Commission may desire to put to any of the private practitioners of the colony, should be printed and forwarded to them. I have marked such as have occurred to me, with letters of the alphabet.

5. I consider it to be a point of high importance to ascertain the proportion of cases which terminated fatally to the strength in the occupation of each barrack and fort in the colony, at the period when the fever broke out in a general form, and I therefore transmit for your information the copy of a letter which I have addressed to the major commanding the troops upon that subject. I also transmit a return which I have procured from the medical superintendent of the convict establishment, showing the number of officers and convicts actually victualled in each hulk and prison in the colony on the 18th July last, the numbers attacked by fever, and the number of cases which ended fatally. I also forward a statement I have drawn up for my own use, from such information as I have been able to collect from military and other returns before me. I should remark, however, that this information is neither as correct as I could wish, nor is it brought down to the present date. It is therefore only to be considered as a memorandum for your guidance in the preparation of a more complete and accurate return, brought down to the present date, of the per-centage of cases which ended fatally, distinguishing each arm of the garrison, and the per-centage on the strength both of troops and convicts at St. George's, Hamilton, and Ireland, dating from the 1st of August, *i. e.*, before the fever broke out in a general form.

6. The dreadful mortality at St. George's will of course engage your particular attention, and I have to direct your especial notice to the formidable loss of officers at that point, and especially of officers' servants in the Royal Barrack. It appears that of 26 soldiers employed as officers' servants in that barrack, every single one was attacked, and 20 died. The quarters occupied both by the officers and their servants must be particularly described and reported upon.

7. It is of much interest to ascertain the effect of the separation of the force, and of the segregation of the infected from the healthy, you will, therefore, follow the proceedings of that kind during the late epidemic with particular attention. The formation and result of the hospital depôt at Ports Island, and the effects of the removal of part of the strength from Ireland Island to Tucker's Island should be carefully examined. It will also be important to trace the progress of the fever on the strength removed to the Ferry Point, and afterwards on the detachments at Devonshire, Prospect Hill, and Oxford, and to specify to what extent the small detachments at Mount Langton and Gibbs' Hill have escaped the fever.

8. You will be very careful, in your inquiry respecting the hulk "Thames," to ascertain the quantity of prisoners' bedding burnt immediately under the barracks; the date of that proceeding; by whose order it was carried into effect; the direction of the wind and the state of the temperature at the time, as well as the state of health of the troops in the Royal Barrack before the burning took place, and immediately afterwards.

9. The Enclosure, No. 6, is the copy of a memorandum of mine, dated 18th December 1848, directing the observance of certain sanitary precautions in the hulks, and you will be so good as to report whether these precautions were regularly carried out in the hulk "Thames." The medical officers of the respective hulks were required to sign their initials to a statement in the weekly reports, setting forth whether these precautions were observed or not, and, so far as I know, there was no interruption of those certificates in the weekly reports from the "Thames."

10. It

10. It is my particular desire that you should institute most searching inquiry into all the circumstances connected with the visit of the Spanish war steamer "Velasco de Garay," arrived in Murray's Anchorage on Sunday the 22d of August, after a passage of six days from the Havana. It appears from information which has subsequently reached the colony, that yellow fever was raging there at that time and for some weeks before, and it is essential to ascertain whether the visit to her by the health officer was strictly performed; whether any persons had died on board of her during the passage from Havana, or during her stay in this colony; and particularly, how soon after she had left, any of the officers or other persons who had been in the habit of visiting her were attacked by fever, and if so, whether any of these persons died, and the date of their decease.

11. It is also necessary to institute similar inquiry respecting the brigantine "Charles," arrived at the quarantine station, Granaway's Deep, on the 10th October last, reported 18 days from Demerara, and bound for Newfoundland, having the body of the captain's wife on board, reported to have been ill during the whole of the passage, and deceased on the evening of the 9th. It has been represented to me that this vessel had the quarantine flag hoisted during her run across the Great Sound, on the 10th October; that the body of the deceased lady was buried in Paget's churchyard on the 11th October; and that the second mate died whilst the brigantine was at the quarantine station in Granaway's Deep.

12. I have directed the officers of the convict department to afford you all the facilities which you may require for the effectual pursuit of this investigation, and the officer commanding the troops will also, I am persuaded, afford you every information which may be necessary, so far as the military departments are concerned. The naval authorities will be equally ready to fulfil the desire of Her Majesty's Government for a full report into all the circumstances connected with this epidemic, and I have requested Mr. Ballingall to afford you all the information and assistance in his power, so far as the naval establishments at Ireland Island are concerned.

13. This truly momentous investigation involves interests of the deepest importance to the Queen's Government, to all those persons in the public service who may be serving, or hereafter called upon to serve in this colony, and to all the people of the island. The calamitous loss which has befallen the colony during the past three months, has cast the administration of the Government upon two officers of your body; with the other two functionaries composing it, I have had the advantage of a long and intimate official intercourse. Under these circumstances it is easy for me to assure you of the entire confidence with which I devolve this serious duty upon you. It will be discharged, I am convinced, not merely with scrupulous attention and ability, but with complete disregard of any other than public considerations, and dispassionate freedom from prejudice.

14. You will be so good as to keep accounts of all expenses incurred by you in the course of this investigation, for travelling, printing, copying papers, and any other charge incidental to its effectual conduct.

I have, &c.

(signed) *Charles Elliot,*
Governor and Commander-in-Chief.

Major Oakeley, 56th Regiment, &c. &c. &c.
The Attorney-general, the Solicitor-general and
Major Byles, 56th Regiment.

Appendix.

No. 4.

Questions.

QUESTIONS on the subject of the late YELLOW FEVER in *Bermuda*.

1. How long have you been in Her Majesty's service, and in what branches of it, and in what climates?

2. What has been your former experience of epidemic visitations generally?

3. At what date during the late epidemic fever did the first case come under your personal observation?

4. Where did that case originate? and describe the history of the patient's situation, preceding movements, changes of position, and other circumstances connected with the attack as carefully as you can. Did it end fatally or otherwise; and if so, was it a well-defined case of black vomit?

5. Describe the nature and extent of your practice during the late epidemic fever, 1853.

6. State your present opinion as to the origin and nature of that epidemic fever.

7. Is that opinion different; and if so, in what respects, from the opinion you entertained before the breaking out of this fever in a general form?

8. Do you think it is communicable or not? Mention any instances which have confirmed you in that opinion.

9. Under what circumstances may it become communicable, in your opinion?

10. If you are of opinion that this fever was imported, how do you consider that it was introduced; and state the particular grounds of your belief for attributing it to that particular cause of introduction?

11. Is it your opinion that the specific miasma indigenous to a particular locality, and capable of producing zymotic diseases generally, can, under special circumstances, produce yellow fever?

12. Describe the dietary of the troops, their mode of life, the cubic space allotted to each man, their treatment under disease, with regard to the separation of the sick from the healthy, their general distribution and the localities they occupy, as these may affect their sanitary condition.

13. Beyond the liability to disease which aggregation engenders, is there anything in the situation of the soldier which would render him, in your opinion, more than usually susceptible of a fever attack of this nature?

14. Apply all these particulars very specially to the force in the occupation of that part of the colony with which you have been most familiar (St. George, or Ireland, or any other station, as the case may be).

15. Describe any particulars in the localization of the troops at that point, which could affect them unfavourably or otherwise. Describe the localities, capacities, conveniences, and general eligibility or not of the hospitals with which you are familiar at Ireland, or St. George's, or other stations, as the case may be.

16. Say how long you have been stationed at St. George's and the other stations, and in what capacities, and to what periods of the year 1853.

17. Describe the nature of the soil, its natural characteristics, as well as its acquired properties. Describe the town of St. George, its situation relatively to the barracks and quarters in the forts, the means of draining it, the precautions taken to keep the small houses, lanes, and back yards clean, the extent and influence of the tides there, the situation and circumstances of the burial ground, the situation of the slaughter-houses, the number of cattle usually slaughtered there per week, whether pigs are frequently kept in the town or not, and any other circumstances bearing upon the probability of fever being engendered or aggravated by the situation and condition of the town of St. George.—Apply these

these particulars to any other post (besides St. George) where you have been stationed.

18. How is the night soil disposed of in the towns of St. George's and Hamilton? Have the houses cesspools or not, and how often are the cesspools cleaned out or not, speaking generally?

19. What is the previous history of St. George's as to epidemic diseases, and to what extent relatively have its native and adventitious populations suffered? —Apply this to any other post where you have been stationed.

20. State the number and description of the force in each quarter or barrack when the disease broke out.

21. What means were adopted on the appearance of the disease for arresting its progress? and state the several dates of those measures as accurately as you can.

22. Describe the dietary of the convicts so far as it is known to you, their mode of life, the cubic space allotted to each man, their treatment under disease with regard to the separation of the sick from the healthy, their general distribution, and the localities they occupy, as these may affect their sanitary condition.

23. Apply all these particulars very specially to the "Thames," so far as may consist with your knowledge.—Apply these particulars also to any other convict hulk in which you served in 1853, and to the prisons at Boaz Island.

24. How long had the hulk "Thames" been moored in St. George's Harbour, was her position there a good one in a sanitary point of view, or one likely to originate disease, in your opinion?

25. Is fever of any kind endemic to Bermuda?

26. What are the states of atmosphere, temperature, and wind most favourable to the spread of yellow fever at Bermuda?

27. Have you any means of comparing these conditions during the fever of 1853 with the same conditions in former fever years?

28. Was the temperature higher or lower in 1853, and did more rain fall or otherwise during the hot weather than is usually the case during the same season?

29. What constitutions, or class of persons are most predisposed to fever?

30. Are the inhabitants of the colony more exempt from yellow fever than Europeans? Is there any difference in this respect between males and females, adults and children, white and coloured persons?

31. Is it your opinion that it can be communicated by direct contact with the person suffering from it, or with the dead body of one who died of it, or with articles of dress or bedding used by either?

32. Do you think that yellow fever may be produced in unfavourable states of atmosphere at Bermuda by emanations from decayed vegetable or animal substances, or both?

33. What have been found the best means of prevention? And what would you suggest for this purpose in Bermuda?

34. What measures do you recommend, in case of a recurrence of fever, to arrest its spread?

35. State, if it is known to you, the result of separation of the force in arresting the spread of the disease.

36. Why does yellow fever appear so seldom in Bermuda?

37. Do you know the proportion of mortality amongst the natives compared with that amongst Europeans?

38. Can you give any further information, or offer any suggestions, which appear to you material, with reference to the present inquiry?

Appendix.
Questions.

39. State as accurately as you can the number of cases of yellow fever which occurred in your parish between the 1st July and 31st December 1853, and the number of such persons who died of that disease within that period, exclusive of persons on the naval, military, and convict establishments, and furnish a nominal list of those who died.

40. Are you aware of any infringement of the quarantine laws during that period? and if so, state the particulars.

No. 5.

Answers of *James Hall*, M.D., Medical Superintendent of Convict Establishment.

Answers of James Hall, M.D.

1. Above 45 years, as medical officer in the Royal Navy.

2. I have witnessed various epidemic diseases in different parts of the world, especially of yellow fever in 1843, and in the present year in the convict establishment here.

3. On July 5th of the present year.

4. At Boaz Island. Patient a convict, named W. Foreman; age 21, of slight make; never before at hospital; labourer. Arrived in "Ascendant" February 1852. Attacked with fever July 3d. Received in hospital 5th. Symptoms those of a bilious remittent of the hot season; but in the course of the disease obscure signs appeared of yellowness of the eyes, watery black stools, affection of the brain, and other symptoms peculiar to yellow fever were obscurely marked; but no black vomit. Died on the 5th day from admission.

5. The extent of my practice was over about 480 cases of fever. The principles of my practice were directed to counteract in each individual case the effects which the pestilential virus was producing in the body, tending to destroy life.

6. In my opinion the fever owed its origin to some peculiar atmospheric constitution acting on the vital powers of those susceptible to its influence as a poison.

7. Yes. Certain circumstances had led me to believe that fever would extensively prevail during the hot season, and be of the common form of bilious remittent.

8. Yes; for I have witnessed numerous instances of its infectious power when concentrated.

9. When the air around a patient suffering under a severe form of this or any other continued fever is impregnated with exhalations from his body.

10. My opinion is, that the fever was not imported; I think that this, like other pestilences which occasionally appear, first mildly in form, gradually increasing in intensity, then diminishing, and finally ceasing, was one of the many operations of nature not understood by man, yet tending to his good.

11. A specific miasm will produce a disease peculiar to its essence; and hence in various places peculiar diseases prevail among those who inhabit or visit them, and hence originate endemic diseases, such as ague and dysentery.

12 to 21. Unanswered.

22. Each convict receives, weekly: fresh meat, 4 lbs.; salt pork, 1 ½ lbs.; soft bread, 7 ½ lbs.; biscuit, 1 lb.; vegetables, 2 lbs.; rice, 12 oz.; cocoa, 5 ¾ oz.; tea, ⅞ oz.; sugar, 1 lb. 5 oz.; rum, 3 ½ gills. They are employed variously on the public works, and at their respective trades. No established (measured), but ample space allotted to each; much more than to each sailor on board a ship of war. The sick are separated from the healthy, and treated in a small ward, if their cases are slight; but if severe, as fevers, &c., they are ordered to be sent to the "Tenedos" hospital ship.

23. The position of the "Thames" as a prison hulk was unfavourable to the health of the prisoners confined on board at night at the hot season of the year, although the space they occupied between decks was ample, and every attention given to ventilation and cleanliness of the ship by the overseer in command of her.

24. Over nine years. The position was a very bad one in a sanitary point of view, not likely to generate fever under the observance of the usual regulations as to cleanliness, ventilation, &c., but very susceptible of epidemic disease, and vastly increasing its intensity if the sick were not removed from the ship.

25. Only

25. Only the bilious fever during the summer.

26. Clear atmosphere, high temperature, and light winds from east to south.

27. Yes; having witnessed in 1843 the rise, progress, and decline of that fever among the convicts and other persons, and having myself suffered from it.

28. From July to September in 1843 the temperature and general state of the weather with respect to calms, light winds, and quantity of rain were apparently similar to those which prevailed during the same period of the present year.

29. Presuming yellow fever is meant, the persons most susceptible are new comers from a northern climate, those of irregular habits, and invalids.

30. They are; because they are acclimated, more virtuous in their habits, and more temperate in their mode of living.

31. The communicability of this disease, from the causes mentioned, will depend on contingencies, because the force or quantity of a pestilential febrific virus in any individual case cannot be known, except by its effects, nor can the unsusceptibility of it in a healthy individual be predicated.

32. No; but from such sources co-operating with other agencies, and acting on individuals living in an ill-ventilated place, such, for example, as a convict hulk, a typhoid fever, as well as scurvy and dysentery, may be generated.

33. Cleanliness, free ventilation, and early dispersion of the sick from the healthy.

34. On all occasions early recourse to medical men of experience and sound judgment, and a rational application of the laws of quarantine.

35. On board the "Medway" and "Dromedary" hulks, and Boaz Island prisons, containing in the whole 1,100 prisoners, only 265 were attacked, because each individual case, immediately it appeared, was sent to the "Tenedos," and thereby no pestilential focus was formed in either of those localities.

36. The visitation of epidemics at Bermuda, at distant and irregular intervals, is owing to some cause as unknown as that which occasions the occasional visitations of hurricanes here.

37. I do not.

38. Unanswered.

(signed) *James Hall*, M.D.,
Medical Superintendent of Convict Establishment.

Additional Questions to Dr. *Hall.*

1. You say the temperature, contrasting the year 1843 with 1853, was very similar. In these two years, as compared with others, what was the state of the weather and temperature?—The temperature in 1843 and 1853 was higher, and greater calms prevailed.

2. Can you state the number of fatal cases of yellow fever which occurred at Ireland Island previous to the reception of any patients from the "Thames" hulk; and if so, the dates of their decease?—There were three fatal cases of yellow fever on board the "Tenedos" hospital ship, and they occurred respectively on the 9th July, 25th July, and the 8th August.

3. Were these fatal cases admitted from any of the hulks, or from whence? —From the establishment at Boaz Island, and from the hulks at Ireland Island.

4. Were there any other cases of yellow fever admitted from the same locality at about the same period, which did not terminate fatally?—Yes.

5. With respect to the convict establishment, have any measures suggested themselves to you by which a similar calamity may be prevented in future, or its evils mitigated?—In the event of a recurrence of the calamity, I should recommend the lodging of the prisoners in suitable barracks on shore, and an hospital adapted for the reception of sick labouring under an epidemic disease.

6. Can you state if any, and what directions were given respecting the removal of prisoners attacked with yellow fever on board the "Thames" to the "Tenedos" hospital ship?—I know of no orders given to interfere with the usual regulations. On the 15th June, in consequence of the prevalence of malignant cholera, it was recommended by letter that patients whose removal to the hospital ship "Tenedos" at Ireland Island might be productive of risk to

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Answers James Hall, M.D.

life or aggravation of their disease were to be retained on board the "Thames," and there treated. But this was only an exception to the usual practice of sending all hospital patients from the "Thames" to the "Tenedos."

LETTERS, &c.

"Tenedos" Hospital Ship, Bermuda,
Sir, 6 June 1853.

I REGRET having to inform your Honor of the presence of the disease termed "cholera" among the convicts.

The occurrence of this disease is customary here at this season of the year, and it always affects the most susceptible of the infirm or unacclimated prisoners, but has been hitherto seldom attended with mortality.

Your Honor will therefore, I am sure, receive with pain the information that among many of the cases of cholera that have presented themselves during the last few days a degree of malignity of this disease has presented itself, of which two prisoners have died within the last 24 hours; and from the many severe cases of dysentery that have been admitted into this hospital during the last two months, I apprehend that much sickness will prevail among the convicts during this summer.

I am happy in acquainting your Honor that fever has not yet appeared in the convict establishment.

I have, &c.
(signed) *J. Hall*, M. D.,
His Honor Colonel Phillpotts. Medical Superintendent.

"Tenedos" Hospital Ship, Bermuda,
Sir, 9 July 1853.

I BEG leave to acquaint your Honor of the death of the officer named in the margin,* on board this ship, on the 8th instant, from delirium tremens.

* Mr. J. Conner, steward, "Medway" hulk.

I take this opportunity to inform your Honor that epidemic cholera still continues to prevail among the convicts, but to a less extent than before, and is of a milder form; and I think it probable that this disease will be succeeded by fever, of which a few cases have recently appeared, and among them one has proved fatal.

(signed) *J. Hall*, M. D.,
His Honor Colonel Phillpotts, Medical Superintendent.
&c. &c. &c.

EXTRACT from Letter to Colonel *Phillpotts*.

"Tenedos" Hospital Ship,
Sir, 10 July 1853.

I BEG leave to forward to your Honor the medical report of the convict establishment during the last quarter. I regret having to observe that the health of the prisoners during the greater portion of that period has been very much impaired by the presence of severe "cholera," which has extensively prevailed among them. In many cases it appeared in a most malignant form.

Although the number of cases attacked, as shown by the return, has been great, yet the relative mortality has happily been small.

This disease still prevails, attended with dysentery, and also fever. Of this disease cases are daily presenting themselves, but the character of it is at present only of the common type of fever of the hot season. Although several cases have been admitted, yet one only has proved fatal.

(signed) *J. Hall*, M. D.,
His Honor Colonel Phillpotts, Medical Superintendent.
&c. &c. &c.

"Tenedos" Hospital Ship, Bermuda,
Sir, 16 July 1853.

I BEG leave to forward to your Honor the medical report of the convict establishment during the last quarter.

I regret having to observe that the health of the prisoners during the greater portion of that period has been very much impaired by the presence of severe cholera, which has extensively prevailed among them.

In many cases it appeared in a most malignant form.

Although the number of cases attacked, as shown by the return, has been great, yet the relative mortality has happily been small.

This disease still prevails, attended with dysentery and also fever; of this disease cases are

are daily presenting themselves, but the character of it is at present only of the common type of the fever of the hot season. Although several cases have been admitted, yet one only has proved fatal.

The causes of the sickness among the prisoners are to be found in atmospheric changes of condition, and the physical and moral condition of such men as constitutes a body of convicts employed on public labour in a hot climate.

The alterations which your Honor was pleased to direct should be made in the dietary of the prisoners, has greatly tended to invigorate their health, by counteracting the impressions made on it by the causes before mentioned.

I have, &c.
(signed) *J. Hall*, M. D.,
Medical Superintendent.

His Honor Colonel Phillpotts,
&c. &c. &c.

Sir, "Tenedos" Hospital Ship 29 August 1853.

It is with much regret I acquaint your Honor of the uniform advance in severity of the prevailing epidemic fever among the convicts on board the hulks in the Camber, and in the prisons on Boaz Island, and of the many relapses among those who were discharged as convalescents to the hulks in the Camber, and the prisons on Boaz Island, which unfortunate circumstances cause the hospital ship to be constantly filled.

I consider it therefore my duty to recommend to your Honor, that the prison (B.) be appropriated for the reception of all the convalescents from the hospital ship during the continuance of the present fever, and that these men be put on the half diet of hospital rations, till they become fit for labour in the public works.

I further beg leave to recommend that a portion of the prisoners on board the "Medway" be removed to the "Dromedary," so as to leave the former ship as little crowded as possible during the prevalence of fever on board that hulk, and further that the prisoners employed in the quarries be spared as much as possible during the heat of the day.

I have, &c.
(signed) *J. Hall*, M. D.,
Medical Superintendent.

His Honor Colonel Phillpotts,
&c. &c. &c.

Sir, "Tenedos" Hospital Ship, 10 September 1853.

In forwarding the weekly report I beg leave to enclose a requisition for medicines, &c., for the convict establishment for the year ensuing.

It is with regret I acquaint your Honor that the epedemic fever continues unabated among the officers and prisoners here, but the mortality from this cause has hitherto been very small in the hospital ship.

I have, &c.
(signed) *J. Hall*, M. D.,
Medical Superintendent.

His Honor Colonel Phillpotts,
&c. &c. &c.

Sir, "Tenedos" Hospital Ship, 20 October 1853.

It is with deep regret that in the quarterly medical returnwhich I have now the honor to forward to you for transmission to the Secretary of State, I have had to record so many deaths among the officers and convicts during the last quarter.

I have already stated to your Honor that this awful yellow fever which has caused such dire distress among all classes, has been an epidemic of endemic origin, and not a foreign one. Its devastation in these islands has been partial, according as local circumstances have favoured the power of the pestilential poison. This partial distribution of an epidemic has always been observed at these islands at every visitation of fever, from the earliest records in the history of the Bermudas. As the recurrence of epidemic fever in these islands has been irregular in its periods of visitation, as also have been irregular the symptoms of the disease, and the effects which resulted on each occasion of its appearance.

The present epidemic has shown, in many cases, an intensity of malignity not often observed. The proof of this I have with pain seen, for many of the nurses and attendants on the sick in this hospital have fallen victims. Neither have any assistants nor myself been perfectly insensible to its force. Dr. Crane, as your Honor is aware, is now obliged to retire from this service, in consequence of ill health from fever.

I would here observe, respecting a question of great importance in a public consideration, that although this fever has not exhibited any proof of a contagious power, yet the evidence has been strong of its infectious and communicable influence under favourable conditions; for many patients whilst under treatment for various diseases in the different wards of this hospital took the fever and died. Yet at no time was there any concentration of the fever cases in wards where the most perfect ventilation was not maintained, as well as cleanliness, and the employment of disinfectants in all parts of the ship, from the hold upwards.

It may be as well to observe here, that whilst judicious medical treatment, employed according to the peculiarities of each individual case, has, under Divine blessing, preserved

Appendix.

Answers of James Hall, M.D.

the lives of numerous persons, yet in many other cases I witnessed with deep pain my total inability to counteract the malignity of the febrile poison diffused throughout the body, and hastening its destruction.

I feel happy in communicating to your Honor my opinion that the fever is now much milder in power; and I hope that as its force commenced from a high temperature, so it will be soon entirely broken up by the approaching cold season.

I have now to crave the indulgence of your Honor in asking permission to lay before you a list of the prisoners who have survived, after having suffered severely in their health by their unwearied labours day and night in attendance on the sick and dying, not only during the present epidemic, but also during the short but severe visitation of Asiatic cholera which, in the month of May, ushered in the present fever.

During that period it was a common occurrence for men to be brought on board wrapped up in blankets from the hulks and prisons at all hours of the night, writhing under agonies from cramp, and terrifying the nurses; I therefore conceive that your Honor will consider it a humane as well as a pleasing duty to represent the services of these sick attendants, and favourably submit their names to the merciful consideration of the Secretary of State for their pardon.

I have, &c.
(signed) *James Hall*, M. D.,
Medical Superintendent.

His Honor Major Oakley, Acting Governor,
&c. &c. &c.

"Tenedos" Hospital Ship, Bermuda,
19 December 1853.

Sir,

I HAVE the honour to lay before you my replies to the questions which your Excellency, in your letter of the 12th instant, directed me to make on the subject of the late epidemic yellow fever.

I have endeavoured to base my replies on those facts alone which came under my observation at the bed-side of the patients, throughout the whole course of the epidemic.

Despatch No. 54, 24 Oct. 1853.

I think it my duty here to state to your Excellency, in reference to the remarks made by Her Majesty's Secretary of State, respecting whether there was any culpability on the part of the officers in charge of the convict establishment, as to the condition of the interior of their hulks with regard to cleanliness, ventilation, state of the bedding, discipline, &c.; that on the 24th and 25th August I visited the "Thames" hulk at St. George's, and inspected all the between-decks, and found the state of that hulk, the condition of the bedding in the sick ward, and the general aspect of the prisoners to be as satisfactory as they had always appeared to me at my previous inspection.

With regard to the "Medway" and "Dromedary" hulks and prisons on Boaz Island, I have at no time observed any condition of them, nor of the prisoners belonging to them, superior to the state and condition that always appeared on board the "Thames." I deem it a justice due to Mr. Harriott, and to the officers of that hulk, as well as to Mr. Kirkham, in charge of the "Medway" (containing above 500 prisoners), likewise to the other officers in charge, that in respect to the late fever, no culpability has existed on their part, from any neglectful observance of the general instructions which your Excellency had long ago established for their guidance.

If any errors were committed on the part of the officers in any locality which tended to augment the power of the late awful pestilence, they will be found in the simple fact, as far as regards the convict establishment, that the fever patients were kept on board the "Thames" (whose complement of prisoners amounted only to the small number of about 209 at the commencement of the epidemic) and there treated, notwithstanding that the established accommodation was only the usual sick berth of a hulk, capable of containing about a dozen bed patients. When the number of fever patients increased, as it progressively did, to a fearful amount, the difficulties that must necessarily have attended their treatment, nursing, &c., may be readily conceived by your Excellency, because that vessel possesseed neither the arrangements nor the accommodations of an hospital hulk.

I beg leave to illustrate this fact by laying before you the enclosed description of the size and accommodations for the sick of the "Tenedos" hospital ship; but on this important subject, from the experience I have had here of two awful visitations of yellow fever, I beg leave to urge on your Excellency the expediency of establishing an hospital of suitable size on Boaz Island.

I cannot conclude this letter without expressing the pleasure it affords me in being able to solicit your Excellency's notice to the present weekly return, which shows the number of patients on board this ship (convalescents included) to be only 99, of which 16 are bed patients, but no case of fever; whereas in the month of September, the number of the former was 260, and of the latter 170, among which many were cases of malignant fever.

I have, &c.
(signed) *James Hall*, M. D.,
Medical Superintendent.

His Excellency Governor Elliot,
&c. &c. &c.

"Tenedos" Hospital Ship,
21 December 1853.

Sir,

In reply to your inquiry, how many cases of fever were admitted into this hospital from the 9th July to the 29th August, I have the honour to inform you that the number was as follows; viz.

From "Medway" Hulk and "Dromedary" - - -	92	Ireland.
Prisons on Boaz Island - - - - - - -	28	
Total - - -	120	

With respect to the dietary of the prisoners, it is the same now as it was during the fever. Previous to this, the dietary was increased in the articles of fresh meat and vegetables, in consequence of my representation to Colonel Phillpotts in the month of June, when cholera was prevailing among the convicts.

On my examination on the 19th, the commissioners inquired at what time the first case of black vomit occurred, a question which I could not then answer; but being very solicitous to furnish the Committee with every information in my power on the very important public inquiry in which they are engaged, I herewith forward a list, which will show the number of patients who died presenting the characteristic symptoms of yellow fever, and likewise two cases of recovery after the appearance of those symptoms. I was not aware of this fact till after the examination of my hospital registers.

I will thank you to excuse any trifling discrepancy between dates and numbers in the papers which I laid before the Commissioners, and the one which I now forward; for example, my reply to the third question states, July 9th: whereas the patient was received on the 5th, and died on the 9th; and of the two patients received from the "Thames," one was sent on the 25th August, and died on the 26th; the other was sent as a convalescent, after frequent relapses from fever, and again relapsed after admission into hospital and died, and therefore in the list enclosed one only is marked as from "Thames" direct, and one as attacked whilst under treatment in hospital.

I have, &c.

(signed) *James Hall*, M.D.,
Medical Superintendent.

His Honor Major Oakeley, Commanding the Forces,
&c. &c. &c.

Bermuda, 18 December 1853.

Weekly Medical Return of the State of the "Tenedos" Hospital Ship, from the 12th to the 18th December 1853.

HULKS and PRISONS.	Number remaining in Hospital 12 December 1853.	Number received during the Week.	DISCHARGED.			Number remaining in Hospital 18 December 1853.	REMARKS.
			Cured.	Invalids.	Died.		
Medway - - -	61	2	14	- -	- -	49	This return includes both sick and convalescents, also Mr. Chalmers, guard of prisons.
Dromedary - -	26	- -	7	- -	- -	19	
Thames - - -	1	- -	- -	- -	- -	1	
Tenedos - - -	1	- -	- -	- -	- -	1	
Boaz Island Prisons -	28	3	2	- -	- -	29	
Total - - -	117	5	23	- -	- -	99	

Total number sick on board the hulks "Medway" and "Dromedary" - - - - - 39
Ditto - - - ditto - - - in Boaz Island prisons - - - - - - - - 6
Total - - - 45

18th, died, the Rev. R. Mantach, chaplain, from chronic disease of the liver.

(signed) *J. Hall*, M. D.,
Medical Superintendent.

His Excellency Governor Elliot,
&c. &c. &c.

Size and Accommodation for Sick on board the "Tenedos" Hospital Ship, at *Bermuda*.

DECKS.	SIZE AND VENTILATION.	Accommodation for Patients.	Will Accommodate	REMARKS.
Upper	46 Feet in length, 34 „ breadth, 7 „ height — Ventilated by 9 ports, measuring 3 feet by 2½ feet, and 1 hatchway, being 29 feet by 8½ feet	24 cradles	24	The numbers shown apply to accommodation in a case of emergency in a cool season of the year, and the absence of any infectious disease; although during the late epidemic, the number of prisoners on board at one period was 260, out of which number 170 were patients confined to bed.
Middle	108 „ length, 34 „ breadth, 6 ft. 10 in. height — 22 ports, 3 feet by 2½; 1 hatch, 10 „ 5½; 1 ditto 24 „ 4	61 ditto	81	
Lower	96 Feet in length, 35 „ breadth, 7 ft. 8 in. height — 16 ports, 3 „ 14 inches; 1 hatch, 4½ „ 5 feet; 1 ditto 6 „ 4½ „; 1 ditto 4 „ 4½ „	24 ditto; 120 hammocks	24; 120	
Officers' Ward	14 Feet in length, 10 „ breadth, 7 „ height — 2 ports, one 3 feet by 2½; „ 2½ „ 1½	2 cradles	4	
	TOTAL		253	

(signed) *J. Hall*, M. D.,
Medical Superintendent.

His Excellency Governor Elliot,
&c. &c. &c.

"Tenedos" Hospital Ship, 21 December 1853.

A List of Patients who died of Yellow Fever in the "Tenedos" Convict Hospital Ship, with under-mentioned Symptoms, between the 9th of July 1853 and 9th of December 1853.

NAME.	Age.	Where from.	When Entered.	When Attacked.	Whether in Hospital; employed as Nurse or Labourer; or under Treatment for other Disease.	Date of Disease.	Symptoms.	
							Eyes and Body Yellow.	Black Vomit.
William Foreman	21	B. I. Prison	5 July 1853	1 July	No	9 July	Yes	No.
James Dunne	26	Medway	20 —	15 —	No	25 —	No	No.
Robert Bentley	30	B. I. Prison	1 August —	2 Aug.	No	11 Aug.	No	No.
John Ellis	35	Medway	4 — —	6 —	No	25 —	No	No.
John Jones	30	Thames	25 — —	— Received from "Thames;" had fever a fortnight before, and died 24 hours after admission, from sudden effusion on the brain.		26 —	No	No.
William Dunne	34	Medway	17 — —	17 August	Dysentery	28 —	No	No.
Thomas Jefferies	21	B. I. Prison	24 April 1852	— "Tenedos" boatman, having slept one night on board "Thames," and died on 8th day.		2 Sept.	No	No.
Isaac Newby	29	Medway	23 August 1853	20 Aug.	No	7 —	No	No.
George Taylor	30	„	1 September —	10 Sept.	Dysentery	14 —	Yes	Yes.
Peter Stokes	28	„	19 August —	20 Aug.	No	14 —	No	Yes.
James Apshead	42	Dromedary	15 — —	12 Sept.	Ophthalmia	15 —	Yes	No.
James Danaher	24	„	27 July —	11 —	Ophthalmia	16 —	Yes	Yes.
Henry Davies	25	Medway	30 August —	10 —	No	17 —	Yes	No.
Joseph Breedon	22	B. I. Prison	2 — —	2 —	No	18 —	Yes	Yes.
Richard Chitty	46	Medway	31 — —	17 —	Debilitas	19 —	No	Yes.
Michael Cuddy	30	„	18 July —	17 —	Debilitas	20 —	No	Yes.
Samuel Gilbert	18	„	2 March —	14 —	Visceral disease	22 —	No	No.
Patrick Bryan	53	„	17 August —	21 —	Dysentery	23 —	No	Yes.
George Sims	26	B. I. Prison	12 June —	20 —	Ophthalmia	24 —	Yes	Yes.
Mr. J. Perrow (guard)	35	Medway	24 September —	Not known	No	24 —	Yes	No.
Thomas Currie	42	Dromedary	13 October 1850	17 Sept.	Nurse	26 —	Yes	Yes.
William Weard	33	Medway	13 August 1853	— Invalid in hospital, for injury of head.		27 —	Yes	No.
Frederick Rose	29	„	14 September —	17 —	No	29 —	Yes	No.
Thomas King	40	B. I. Prison	20 — —	25 —	Catarrhus	29 —	Yes	Yes.
George Wilkinson	22	„	18 August 1852	27 —	Barber	1 Oct.	Yes	Yes.
Charles Dobbin	23	Medway	17 August 1853	26 —	Nurse	1 —	Yes	No.
Joseph Halton	25	Dromedary	10 — —	24 —	Ophthalmia	1 —	Yes	No.
James Ashman	37	Medway	11 — —	27 Aug.	Three relapses	3 —	Yes	Yes.
William Doyle	24	„	29 — —	26 Sept.	Ophthalmia	3 —	Yes	Yes.
James Minchin	30	„	3 — —	26 —	Epilepsy	3 —	Yes	Yes.
Denis Henan	33	„	2 — —	23 —	Dysentery	4 —	No	No.
Michael Abbott	30	Dromedary	24 — —	25 —	Nurse	4 —	Yes	No.
Thomas Massey	30	Medway	3 October —	27 Aug.	No	4 —	Yes	Yes.
Anthony Carlton	41	Dromedary	21 September —	25 Sept.	No	5 —	Yes	Yes.
James Grove	30	B. I. Prison	5 October —	5 Oct.	No	6 —	Yes	Yes.
Thomas Hill	26	„	6 — —	24 Sept.	Nurse	7 —	No	No.
Henry Martin	33	Medway	16 September —	3 Oct.	Nurse	7 —	„	Yes.
George Savory	27	„	1 — —	1 —	Nurse	7 —	Yes	Yes.
Andrew Windsor	24	„	3 July —	4 Sept.	Nurse	7 —	Yes	Yes.
Thomas James	24	„	3 October —	4 Oct.	No	7 —	Yes	No.
John Danes	34	„	1 February 1851	30 Sept.	Labourer	7 —	Yes	Yes.
Alfred Taylor	22	Dromedary	4 October 1853	2 Oct.	No	8 —	Yes	Yes.

NAME.	Age.	Where from.	When Entered.	When Attacked.	Whether in Hospital; employed as Nurse or Labourer; or under Treatment for other Disease.	Date of Disease.	Symptoms. Eyes and Body Yellow.	Symptoms. Black Vomit.
Richard Troynham	35	B. I. Prison	4 August 1851	4 Oct.	Barber	8 Oct.	Yes	Yes.
Edward Fox	31	„	28 September	16 Sept.	No	8	Yes	No.
John Clarke	32	Medway	13 June 1853	4 Oct.	Nurse	8	Yes	Yes.
William Sullivan	28	B. I. Prison	13 May	30 Sept.	Nurse	8	Yes	Yes.
William Beckwith	39	Medway	10 June	4 Oct.	Dysentery	8	Yes	Yes.
Charles Melligan	22	B. I. Prison	11 September	17 Sept.	Cholera	9	Yes	No.
John Croker	30	Medway	4 July	6 Oct.	Fractura	10	Yes	No.
William Grady	28	Dromedary	24 January 1851	5	Labourer	11	Yes	Yes.
George Haddlestone	22	Medway	27 June 1853	4	- - Dispensary labourer.	11	Yes	Yes.
William Selby	21	Dromedary	30 May 1851	8	Dispensary clerk	12	Yes	Yes.
James Malone	28	Medway	28 Septemb. 1853	7	Nurse	13	Yes	No.
John Gremar	24	„	11 October	10	No	13	Yes	Yes.
Patrick Keane	32	B. I. Prison	30 September	5	No	13	Yes	No.
Edward Dadswell	30	„	15 May 1851	11	Labourer	17	Yes	Yes.
John Turner	25	Medway	29 Septemb. 1853	28 Sept.	No	20	Yes	No.
Henry George	27	B. I. Prison	20 May	7 Oct.	Washerman	20	Yes	No.
Joseph Chater	36	Medway	16 March	14	Nurse	21	Yes	Yes.
Samuel Lloyd	28	B. I. Prison	16	15	- - Dispensary labourer.	21	Yes	Yes.
William Robins	25	Thames	13 October	13	- Had fever eight weeks in "Thames."	29	Yes	Yes.
Thomas Riley	24	Medway	27	21	No	29	No	No.
Thomas M'Dowall	28	B. I. Prison	8 June	23	Nurse	30	Yes	Yes.
Daniel Hefferman	40	„	30 October	30	No	31	Yes	Yes.
George Blinkworth	22	„	27	27	No	1 Nov.	Yes	Yes.
John Tabner	26	„	1 November	31	No	3	Yes	No.
William Green	23	„	18 October	29	No	3	Yes	Yes.
John Eyres	34	Dromedary	25 August	31	- - Cholera and dysentery.	4	No	No.
John Percival	48	B. I. Prison	31 October	31	No	4	Yes	Yes.
William Muzzle	25	Medway	16	16	Typhus	5	Yes	No.
Henry Chapel	30	„	Septemb. 1850	1 Nov.	- - Servant in hospital.	6	Yes	Yes.
William Williams	52	B. I. Prison	30 October 1853	29 Oct.	Diarrhœa	6	Yes	No.
Alfred Elder	31	„	1 November	1 Nov.	No	6	Yes	Yes.
John Woods	26	Medway	25 October	24 Oct.	No	7	Yes	Yes.
Daniel Tierney	34	„	3 November	3 Nov.	No	9	Yes	Yes.
Richard Norman	67	B. I. Prison	31 October	31 Oct.	No	9	No	No.
Thomas Payne	29	„	1 November	1 Nov.	No	9	Yes	Yes.
John Willis	34	„	4	4	No	10	Yes	Yes.
John Hogg	30	„	28 October	6	Nurse	13	Yes	Yes.
Thomas Blood	26	Medway	11 March	9	Boatman	13	Yes	Yes.
Richard Chadwick	33	„	3 November	11	Ophthalmia	16	Yes	No.
James Buckley	28	B. I. Prison	16	16	Carbuncle	17	Yes	No.
Henry James	27	Medway	31 October	13	No	18	Yes	Yes.
William Braidwood	30	Dromedary	16 November	15	No	21	Yes	No.
John Cave	40	„	28 September	16	No	21	Yes	No.
George Hall	37	B. I. Prison	9 November	8	No	22	Yes	Yes.
James Butler	34	Dromedary	10	21	Diarrhœa	25	Yes	Yes.
Anthony Conroy	47	Medway	19 October	20 Oct.	No	29	Yes	Yes.
Patrick Donelly	34	„	4 November	5 Nov.	No	30	No	No.
Morris Darcy	41	„	18	23	Obstipatio	30	No	No.
*Alfred Humphries	25	„	Septemb. 1851	2 Dec.	Bedmaker	9 Dec.	No	No.

* This being the last death from fever on board.

Received direct from	Medway	15	Whether employed in hospital as nurses, or labourer, or under treatment for other diseases; from	Medway	30
	Dromedary	3		Dromedary	10
	Boaz Island	17		Boaz Island	14
	Thames	1		Thames	1

Two Patients who recovered from Yellow Fever in the "Tenedos" Hospital Ship, with under-mentioned Symptoms, between the 1st September and the 15th October 1853.

NAME.	Age.	Where from.	When Entered.	When Attacked.	Whether in Hospital; employed as Nurse or Labourer; or under Treatment for other Disease.	Date of Convalescence.	Symptoms. If Eyes and Body Yellow.	Symptoms. If Black Vomit.
John Jackson	24	Medway	1 September	1 Sept.	No	8 October	Yes	Yes.
John Hayes	32	„	28	28	Nurse	15	Yes	Yes.

To the Honourable the Commissioners of the Court of Inquiry, &c. &c. &c.

(signed) *J. Hall*, M. D., Medical Superintendent.

No. 6.

Appendix.

Answers of S. Gorden Warner, Esq., M. D.

ANSWERS of *S. Gorden Warner*, Esq., M.D., Surgeon, M.R.M.S.E.; in Medical charge of Convict Establishment at Boaz Island.

1. I HAVE been nearly eight years in the medical department of the convict service at Bermuda.

2. I had much experience in yellow fever, which prevailed at Bermuda in 1843, having had medical charge of the Military Hospital, 20th regiment, at Hamilton, for more than two months; having attended the officers quartered there; having had many cases at Mount Langton Government House, including the Governor, Sir William Reid, and nearly every member of his family; and having also seen many cases when in private practice, and resident at Hamilton.

3. On the 5th of July.

4. At Boaz Island. The patient, a prisoner, was sent to the Tenedos Hospital. I had no opportunity of knowing whether it was attended with black vomit. The case terminated fatally. I know, from the statement of one on whose word I can depend, that the body, after death, was nearly black, just as was the case at St. George's, when the fever was at its height, and to which place my informant was sent to act, as sick bay man, by order of late superintendent.

5. My practice was confined to attending on the families of the deputy superintendent and chaplain, and on several females and children at Boaz Island. All subaltern officers, as well as convicts, were sent to Tenedos Hospital.

After freely evacuating the stomach by an emetic, and the bowels by brisk purgatives, I considered the administration of calomel, so as to make the mouth sore, the anchor of hope. I found warm baths very useful. Deaphaetics, local depletion by cupping and blistering; mustard poultices; ice, and cold lotions to head, after having had the hair removed; general depletive I rarely used.

6. I think it is of local origin, produced by miasma arising from decayed animal and vegetable matter, generated by close, hot weather, succeeding to heavy rains, and continuance of southerly and easterly winds; by impure ventilation, and want of cleanliness in and about residences. I think it is wafted from place to place in the atmosphere, and I consider that certain conditions of the electric fluid in the atmosphere, not known, may have much to do with the origin of yellow fever.

7. I formerly thought the fever might be imported, but hostile to this opinion is the fact, that we have only occasional visitations of this scourge, while communication with St. Thomas's, Jamaica, and other places, where yellow fever almost always prevails, continually exists.

8. I think it is communicable. My experience, generally, confirms me in that opinion.

9. Where cases are crowded together, as in hospitals, &c. &c. &c.

10. My opinion is, that the fever was not imported. *See* Answer to Question, No. 6.

11. Yes.

12. I did not attend the troops in 1853.

13. Recent residence in a more temperate climate. Rigidity of fibre. Intemperance.

14. Unanswered.

15. Unanswered.

16. Unanswered.

17. Unanswered.

18. Unanswered.

19. The first case of fever, in 1843, is said to have occurred at St. George's, and its native population, generally speaking, has suffered far less than Europeans and transient residents.

20. Unanswered.

21. Unanswered.

22. The dietary of the convicts in health consists of, during the summer months, fresh meat generally; beef with vegetables four times a week, and salt meat and vegetables the remaining three days; bread, cocoa, tea, rice, sugar, &c.

&c. &c. &c. In summer, a pound of beef is allowed four times a week; in winter, a pound and a quarter three times during the week. The convicts may be said to lead a regular life; they are worked eight hours a day all the year round. The cubic space allotted to each prisoner at Boaz Island is 317 ½ cube feet. All sick convicts are sent to hospital. The localities they occupy are St. George's (hulk), Ireland Isle (hulks), Boaz Island prisons.

23. I served at Boaz Island in 1853. *See* Answer to Question No. 22.

24. I cannot, from my own knowledge, answer any question regarding the hulk "Thames."

25. Fever of a typhoid type is occasionally endemic to Bermuda.

26. Probably certain conditions of the electric fluid; certainly extreme heat, southerly and easterly winds.

27. During the prevalence of fever in 1843 there was a deficiency of electric fluid in the atmosphere. Easterly wind prevailed, on the whole, more in 1843 than in 1853. In 1853 the wind was easterly and southerly.

28. The temperature was higher in 1853, particularly during the time the comet was visible, and more rain fell during the hot weather than is usually the case during the same season.

29. Generally speaking, robust constitutions, Europeans or Northerners, soldiers, sailors, and convicts.

30. The inhabitants of the colony are more exempt from yellow fever than Europeans; males, females, adults, and children are all equally liable to the disease.

White persons are more liable than coloured.

31. Yes, such is my opinion.

32. I do think so.

33. Cleanliness, drainage, non-exposure to the influence of the sun. Separation and dispersion of large bodies of men, as soldiers, convicts, &c. &c. &c.

34. Answer same as to question 33.

35. In 1843, as well as in 1853, the separation of the force did arrest the spread of the disease.

36. Probably because atmospheric agency, prevailing wind, heat, and moisture during the summer are not always the same; perhaps, also, cleanliness and ventilation have been more attended to during some summers, than during the hot months in other years.

37. I do not know the proportion of mortality amongst the natives compared with that amongst Europeans, but I am satisfied that the mortality is greater amongst Europeans.

38. I think the present inquiry calculated to elicit all information material to the subject, nor can I offer any further suggestion.

(signed) *S. Gorden Warner*, M. D., Surgeon,
M.R.M.S.E.

12 January 1854.

No. 7.

Answers of *Herbert Beck*, Esq., Assistant-Surgeon, Convict Establishment, *Bermuda*.

1. I have been for upwards of eight years in the public service in the convict establishment at Bermuda.

2. My experience of epidemic visitations has been confined to cholera, which occurred in the months of May, June, and July 1853.

3. The first case of yellow fever which came under my care, was on 20th July 1853.

4. The case previously alluded to, originated on board the Medway hulk; he was employed on the public works; he died on the 25th of the same month. I believe it was a well defined case of black vomit.*

5. My

* I have since ascertained that I was incorrect in stating that black vomit occurred.

Appendix.

Answers of Herbert Beck, Esq.

5. My duties were confined chiefly to attendance on the prisoners in the Camber, many of whom I treated in the early stage of the disease; I was frequently called on to attend cases of fever occurring amongst the military at Ireland Island.

6. My opinion as to the origin of yellow fever is, that it was caused by the diffusion of some latent poison in the atmosphere, aggravated by certain local causes, such as a long continuance of calm weather, with an unusual humidity of the air, and a high degree of temperature, these three states being highly favourable to the accumulation of malaria, and calculated to produce diseases of a low character, which was evidently the case in this epidemic, which was fully proved by the marked vital depression and the offensive and diseased condition of the secretions and excretions, and the early tendency to putrefaction.

7. My opinion given to the previous question is in no respect changed.

8. I am decidedly of opinion it is, and in support of that opinion, adduce the following cases:—

1st. That of a guard who previously enjoyed good health, was within a few hours subsequent to conveying a prisoner to hospital with fever, seized with it himself.

2d. One of a boat's crew, who were employed in carrying a fever patient into one of the decks of the "Tenedos" hospital ship, being attacked with fever in less than an hour afterwards. This man was in the enjoyment of robust health.

3d. The fact which is too well known of the majority of those attending fever cases falling under its influence.

9. I consider it communicable under any circumstance, but the most predisposing causes are the want of cleanliness and ventilation, overcrowding of the sick, and all other causes which tend to depress the vital powers.

10. I am decidedly opposed to the belief of importation, for if such was the case, how is it that it does not appear more frequently? as vessels from infected ports are constantly arriving here.

11. There can be no doubt that the malaria generated in certain localities, which give rise to zymotic diseases generally, may, under peculiar circumstances, as a moist and calm state of the air, and certain electric conditions of the atmosphere, want of cleanliness and ventilation, produce not only yellow fever, but others of a pestilential character.

12. Unanswered.

13. Unanswered.

14. Unanswered.

15. Unanswered.

16. Unanswered.

17. Unanswered.

18. Unanswered.

19. Unanswered.

20. Unanswered.

21. None that I am aware of.

22. The diet of the convicts is excellent, both with respect to quantity and quality; their occupations are more or less of a laborious nature; all cases requiring hospital treatment are at once removed from the hulks; every attention is paid to their sanitary condition, both on shore and on board; I am unable to describe the number of cubic feet each man enjoys.

23. Unanswered.

24. Unanswered.

25. Not that I am aware of.

26. I consider that a humid and calm state of the atmosphere, with a high degree of temperature, and the wind from the east and south, are most favourable to the spread of yellow fever.

27. I have not.

28. As far as I can ascertain, no important variation of temperature was observed between the summer months of 1852 and 1853; the weather certainly appeared more oppressive during the time the comet was seen, but that may be accounted

accounted for by the continued calm condition of the weather, but considerable more rain fell in July 1853 than in the corresponding month of the previous year.

29. The class of persons most predisposed to fever are those recently arrived from Europe, of a sanguine temperament, and those of a shattered and enfeebled constitution.

30. It is well known that the colonists, as a general rule, are more exempt from fevers than Europeans, it is seldom that coloured persons have very severe attacks of fever.

31. I do not consider that yellow fever can be contracted by direct contact with an infected person, but that the effluvia given off from his body is capable of producing the same type of fever I have no doubt. After death, the disease can only be propagated by inoculation. I am of opinion that articles of dress and bedding used by fever patients can cause the disease.

32. That yellow fever may be produced by malaria arising from decayed animal and vegetable substances under peculiar states of the atmosphere, I entertain no doubt, but why yellow fever, more than typhus or any other putrid fever, it is difficult to say.

33. Cleanliness, ventilation, and drainage. I would suggest that fumigation with chlorine gas should be frequently employed in all out-houses and dwellings in the infected quarter. The vessels used for generating the gas should be placed in the lowest rooms. As the fumes of this gas are very powerful when produced by the ordinary method, and liable to cause much irritation of the air passages, I would recommend that a weak solution of chloride of lime, to which some muriatic acid should be added, be used; the gases evolved by this means, are as efficacious as those otherwise formed, and may be breathed mixed with the atmosphere with impunity. Particular attention should also be paid to removing all causes of humidity.

34. The measures I would recommend in case of a recurrence of yellow fever to arrest its speed, are the strict enforcement of the quarantine regulations, the prompt removal of all cases from the infected locality to some of the neighbouring uninhabited islands, under proper medical care, thorough cleansing and fumigation of all houses where cases had occurred.

35. From what I have heard, the separation of cases was attended by the most favourable results.

36. Before replying to this question, I would venture to make some remarks; that malaria caused by the decomposition of animal and vegetable matter are the chief sources of fevers generally, is a fact universally admitted; this being granted, an important question arises, which is, can the miasmeta evolved from the marshes in different localities in these islands under favourable states of the atmosphere (which have been stated in question 26), cause yellow fever, or any other of a putrid or pestilential character. I am of opinion they cannot, for if such was the case, how is it that every summer is not attended with such cases? And again, it is reasonable to suppose that the mortality amongst the residents in swampy districts would have been during the late epedemic very great.

The only reason I can assign for the exemption of Bermuda from yellow fever are, 1st. The great distance these islands are from all sources of fever, for if it cannot be proved that the disease was generated here, nor imported by individuals arriving from other countries, the only conclusion I can come to is, that it was introduced in the air from the coast of some neighbouring country. 2d. The vast expanse of ocean over which these malaria have to pass, which would cause their absorption more or less, as water has the power of doing so. 3d. The prevalence of strong winds, which must of necessity remove in a great measure all noxious gases.

37. I do not.

38. I cannot.

(signed) *Herbert Beck*,
Assistant-Surgeon,
Convict Establishment, Bermuda.

18 January 1854.

No. 8.

Appendix.

Answers of W. H. Dickey, Esq.

ANSWERS of *W. H. Dickey*, Esq., "Tenedos."

1. I PERFORMED duty for the assistant-surgeon of the "Tenedos" hospital ship, during his absence for four weeks in the month of June last, and have been assistant-surgeon in the convict establishment since 1st September.

2. I have never before witnessed an epidemic visitation of yellow fever, but have seen numerous other epidemics, such as malignant cholera, scarlatina, smallpox, &c.

3. The first case of fever, during the late epidemic, which came under my observation, entered the "Tenedos" Hospital on 5th July.

4. That case was a convict labourer employed on the works at Boaz Island was taken ill there; entered the sick bay July 3d; was sent to hospital on the 5th and died on the 9th of same month. He had no black vomit, but presented all the other characteristic symptoms of the epidemic fever, and had a slight tinge of yellowness in the eyes.

5. I saw, and was in daily attendance upon, 470 cases of fever treated in the "Tenedos" hospital.

6. I consider it was entirely due to certain atmospheric conditions, operating upon and influenced by local causes, and thereby generating a peculiar morbific poison, which affecting those predisposed gave rise to the phenomena of yellow fever. Of the nature of these peculiar atmospheric conditions I can give no explanation; but the localizing causes are better ascertained; and among them may be mentioned effluvia of all kinds, whether emanating from the bodies of a number of persons crowded together in ill-ventilated apartments, or arising from animal or vegetable decomposition, marsh miasm, &c. As regards the nature of the late fever, I conceive it to be closely allied in its type, but not precisely the same as malignant forms of ordinary remittent. It was characterized by early prostration, loss of vital force, and tendency to decomposition of the animal fluids.

7. From what I had previously read on yellow fever, and the phenomena which I have witnessed in remittent, I cannot say that my opinion is at all changed from the one I entertained previous to the outbreak of the late epidemic.

I considered the first cases, as well as all subsequent ones, due to the causes I have pointed out. It was impossible, in the outset of the epidemic, to predict how far it would spread or what would be its malignancy; the latter went beyond the expectations of every one.

8. I do not think it is communicable, and have seen no instances which in my mind would prove its communicability.

9. I do not consider that it can, under any circumstances, become communicable. Where, owing to localizing causes, a concentration of the poison takes place, it may, from the number affected, appear to be communicable; but I conceive, if the sick and unaffected were together removed to a healthy locality, its spread would be arrested.

10. I think it was not imported.

11. I do not consider that a specific miasma, indigenous to a certain locality, can of itself give rise to yellow fever; but it may, when the peculiar atmospheric conditions necessary for the production of yellow fever are present, become one of the localizing causes, which will influence its spread and intensity.

12. Unanswered.

13. Unanswered.

14. Unanswered.

15. Unanswered.

16. Unanswered.

17. Unanswered.

18. Unanswered.

19. Unanswered.

20. Unanswered.

21. On board the "Tenedos" solution of chloride of zinc and chloride of lime were abundantly employed. The "Medway" hulk was removed from her moorings

moorings in the Camber to Grassy Bay. With the movements concerning the "Thames" hulk I am unacquainted.

22. Weekly Diet: Fresh meat, 4 lbs.; salt pork, 1¼ lbs.; soft bread, 7½ lbs.; buiscuit, 1 lb.; potatoes, 2 lbs.; rice, 12 oz.; cocoa, 1 lb. 5 oz.; tea, 1⅙ oz.; sugar, 10½ oz.; grog, ½ gill daily; cocoa mornings, and tea evenings.

The convicts are distributed in the hulks "Medway," "Dromedary," "Thames," and Boaz Island prisons. They are principally employed in quarrying stone, cutting and building. I do not know the exact amount of cubic space allotted to each man, but I believe it is more than is allowed to sailors on board a man-of-war. The largest proportional number were attacked in the "Medway," the least in the "Dromedary," while the greatest mortality was among the cases from Boaz Island, and the least from "Dromedary," as follows:

HULK.	TOTAL.	ATTACKED.	DIED.
Medway - - - -	560	143	14
Dromedary - - -	226	38	3
B. I. Prisons - - -	363	84	15

The "Dromedary" lay inside of the Camber, while the "Medway" was moored some distance from the shore in Grassy Bay.

23. Unanswered.

24. I am unacquainted with the hulk "Thames," except as regards her position, which I consider a very bad one in a sanitary point of view; not, however, likely to originate disease, but very favourable for its spread.

25. Bermuda can scarcely be said to have any endemic fever, but is subject to common bilious remittent of all tropical climates.

26. A long continued elevation of temperature, with frequent heavy falls of rain, and light easterly winds. Disturbance of electric equilibrium in the atmosphere has, I believe, much to do with the production of yellow fever.

27. I have none.

28. The temperature, I believe, was higher, and more rain fell than is usual.

29. The persons most predisposed are on the one hand those who are weakly and debilitated, and, on the other, the robust and plethoric: those who obtain the happy medium between these two conditions, neither too plethoric nor too weakly, will probably enjoy the greatest exemption.

30. The inhabitants of the colony are less predisposed than Europeans, and coloured persons are more exempt than any other class. I have no means of judging the comparative exemption of males and females, adults, and children.

31. I do not think it can be communicated in either of the ways mentioned.

32. I do not think emanations from decayed vegetable or animal substances will of themselves, under any circumstances, give rise to yellow fever; but, as I before stated with regard to specific miasmata, they will when the yellow fever atmosphere is present, become localizing causes.

33. General attention to cleanliness and ventilation; efficient drainage; whatever measures tend to neutralize or remove effluvia of all kinds, and attention to the disposal of large bodies of men, that they be not overcrowded and have sufficient ventilation.

34. Immediate removal from the infected locality; separation of force, as far as practicable; measures to facilitate prompt treatment of the sick; attention to fumigation, and a removal, as far as possible, of all localizing causes.

35. I cannot speak from personal observation of the result of separation of force, but believe it to be attended with good results, as it prevents the accumulation in one place of animal effluvia, which is one of the worst localizing causes.

36. This is an extremely difficult question to answer. I can only suppose that the peculiar causes, which engender the condition of atmosphere necessary for the production of yellow fever, are seldom in operation. Perhaps from its geographical position Bermuda enjoys a greater exemption than islands which are situated farther south.

Appendix.

Answers of W. H. Dickey, Esq.

37. I do not; but believe the mortality was much less among the natives.

38. I can offer no farther suggestions; but could furnish information with regard to the cases attacked and treated on board the "Tenedos," if it is desired.

"Tenedos." (signed) *W. H. Dickey.*

No. 9.

Answers of J. S. Hunter.

ANSWERS of *Joseph Stewart Hunter*, M.D., Surgeon, "Thames."

1. TEN years in the army, and 20 in the convict service; the greater part of the period in Bermuda.

2. I have had the opportunity of treating the yellow fever in Bermuda, in the years 1819, 1843, and 1853.

3. On the 26th of August.

4. On board the convict hulk "Thames." This was a case of remittent fever, and terminated fatally, but unattended with black vomit.

5. I was surgeon of the "Thames" hulk, where every officer and the greater part of the prisoners were attacked with fever.

6. I am of opinion that it was imported.

7. I have had no reason to alter my opinion on this subject.

8. I think it may be communicated, not by contact, but by inhalation.

9. By inhaling the breath of a dying person.

10. I am of opinion that this fever was introduced into Ireland in vessels of war arriving at that part of the island as early as June.

11. I am of opinion that specific miasma, under special circumstances, may generate yellow fever.

12. Unanswered.

13. Unanswered.

14. Unanswered.

15. Unanswered.

16. Unanswered.

17. The soil of St. George's varies, part being a deep red earth with limestone bottom, while the greater part is composed of a light sandy loom, being particularly porous; the heaviest fall of rain being almost immediately absorbed.

The town of St. George's is situated to the south and west of the barracks, the forts being some distance removed from either; the drainage, which is by no means bad, being principally into the harbour. The lanes and back yards are frequently inspected by the Board of Health, and are kept as clean as circumstances would admit. Provision has of late been made by the parish, which cannot fail in improving the sanitary condition of the town. The extent and influence of the tides is highly beneficial, having a fall of between four and five feet, with outlets to the south, west, and east. The situation of the burying-ground was decidedly bad; it has recently been removed to some distance from the town. There are two slaughter-houses close on the harbour, and both kept remarkably clean. A few pigs are kept within the limits of the town, which the Board of Health are taking measures to have removed.

18. The night soil is generally thrown into the harbour, or buried in gardens or yards adjacent to the houses.

19. The yellow fever has visited these islands three times only as an epidemic during the last 34 years, and at no time has it been so generally fatal to natives as strangers.

20. Unanswered.

21. The corporation, as a board of health, frequently inspected the back lanes and yards. causing them to be kept as clean as circumstances would admit; these inspections were constantly resorted to after the appearance of the epidemic during the whole of the summer months.

22. The dietary of the convicts is good, consisting of a fair proportion of animal and vegetable food. The space allotted to each man is from 190 to 200 cubic feet. The sick of the hulks are treated in the convict hospital hulk "Tenedos," with the exception of the "Thames." The hulks were judiciously placed.

23. Answered

Answers of J. S. Hunter, M. D.

23. Answered in 23.

24. This hulk had been for many years placed on a bank in St. George's, within a few feet of the shore at the east end of the harbour, where ventilation at certain periods was most imperfect; the accumulation for many years of animal and vegetable matter in a state of decomposition surrounded and formed a bed for this hulk. These masses, partially exposed at low tides, and subject to the influence of a vertical sun, was in my opinion sufficient, from the malaria emitted, to generate disease.

25. No.

26. Calm weather with but little rain, close heavy atmosphere, wind east or south-east, are most favourable to the spread of yellow fever in Bermuda.

27. I believe there was but little variation in the state of the atmosphere in the years 1819-43, and 1853.

28. The temperature was not higher generally in 1853 than former years; in this year rain fell heavily during the hot months.

29. Persons of full habit, those labouring under chronic visceral disease, or of intemperate habits, were most predisposed to attacks of yellow fever.

30. The natives (white and coloured) are more exempt from yellow fever and other contagious diseases than Europeans or strangers.

31. I do not conceive it can be produced by contact with persons suffering from fever, or with the bodies of those having died from it.

32. I do.

33. Cleanliness, thorough ventilation, more particularly in the habitations of the lowly, a moderate quantity of vegetables, and the avoidance of all crowded assemblies.

34. The immediate change of locality, as far as practicable, in preference to all other precautionary measures.

35. I am perfectly cognizant of the fact.

36. The salubrity of the atmosphere, its situation in the Atlantic, and the sole use of tank water by its inhabitants.

37. About four per cent. in favour of the natives.

38. I should suggest the employment of native nurses, more particularly females, as they are but little liable to take the disease, and are tolerably experienced in its treatment.

(signed) *Joseph Stewart Hunter*, M.D.,
St. George's, April 1854. Surgeon, "Thames."

No. 10.

ANSWERS of *E. Hilditch*, Esq., Deputy Medical Inspector.

Answers of E. Hilditch, Esq.

1. TWENTY-EIGHT years as a medical officer in Her Majesty's Navy, chiefly served in hot climates; seven years of this period on board ships on the Jamaica station, six years at the Naval Hospital at Jamaica, and six at Bermuda Hospital.

2. While thus serving I had frequent opportunities of seeing the fever of the West Indies prevailing epidemically on board. In 1841 the disease afflicted the garrison of Port Royal, Jamaica, to a frightful extent, and was exceedingly fatal. From 1840 to 1847 being employed at, and for the last three years of that period in charge of the Naval Hospital there, the cases under my observation and treatment were very numerous; vessels frequently coming in from sea with the epidemic on board, and sending their patients to the hospital.

3. On the 30th August 1853, Lieutenant Higgon, Royal Artillery.

4. At the Commissioner's House in Ireland Island, where he had been quartered ever since his arrival from England some months previously, occasionally visiting the other islands; had not however been at St. George's for about a month preceding the attack. On the day he was taken ill (27th August) he had got greatly heated in rowing. His was a protracted case, but he entirely recovered.

5. My practice was confined chiefly to the patients sent to the Naval Hospital, of whom 131 were received, and 39 of them died. Of the individuals to the number of 419 belonging to the Naval Yard, 29 were attacked by febrile

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symptoms, but only seven proved to be cases of the epidemic, and they all recovered. There were five cases of the epidemic among 34 persons forming the families connected with the Naval Hospital, two of which five died.

6. I consider that it was identical with the epidemic fever of the West Indies, having its origin in some specific cause (the nature of which is at present unknown), affecting constitutions predisposed to its action, the presence of certain other conditions being necessary for the developement of the disease; those conditions I suppose to be heat, moisture, and animal and vegetable decomposition, and that where there is a still state of the atmosphere combined with these conditions, and a number of individuals are congregated together in close apartments, situated in undrained and uncleanly places, the specific cause will the more readily be called into action, and be proportionately destructive in its effect.

7. My opinion is not different from what it always has been on this subject.

8. In my previous experience I have seen great numbers at a time under treatment for a similar epidemic at Port Royal, and none of the attendants were then attacked, but in that now under consideration, eight out of ten individuals employed in the wards of the Naval Hospital suffered from the disease, and of these two died. All the medical officers were also attacked. The steward contracted the disease and died, but he had very little intercourse with the patients; his mother-in-law and brother-in-law, both natives, living in the same house with him, fell victims to the disease after his death; they were white; the last two are those noticed in the answer to No. 5, as having died.

9. I think it is possible, when an epidemic is prevailing, that in a warm, humid, and still atmosphere, such as prevailed at the time the above attendants were attacked, and where a large number of patients labouring under the malignant form of the disease are congregated together, such a state of the air may be produced as to give rise to an attack in persons thus exposed, who might without such an exposure have escaped, that is to say, had they been subjected to the ordinary epidemic influence only.

10. I am not in possession of any information to justify even a suspicion of its having been imported, neither do I think it probable that it was so. The same causes which are supposed to give rise to the disease in the West Indies (where it is considered endemic) exist here.

11. Yes.

12. The dietary of the troops can be better described by the military medical officers. I believe their mode of life to be such as usually appertains to soldiers in general. In Ireland Island there are less facilities for the abuse of spirituous liquors than exist elsewhere. With regard to the space allotted to each man in barracks, I can only speak of Ireland and Boaz Islands, in both of which they are a good deal crowded. In the lower rooms of the casemate barracks, somewhere about 280 cubic feet are allowed for each man; and in the upper 360; while in a cold climate it should never be less than 500, and in a hot one 750. Breathing an impure atmosphere as theirs necessarily must be, its deleterious effect will be heightened by the gases which, during the prevalence of certain winds, must arise from the common privy, and pervade the barracks. A man as soon as attacked was sent away from the barrack. There can be no doubt that immediate separation of the sick from the healthy is of the utmost consequence, and the removal of the troops from an infected locality should be insisted on. The good effect of this measure was shown by the removal of the military to the Ferry, Prospect, Bluck's Point, and Tucker's Island; a similar effect has been found in epidemics in other parts of the world. As to the localities, the troops in the Commissioner's house had only three cases, and the sappers escaped altogether; the airy situation of both their barracks may have contributed to this comparative immunity.

13. His mode of life, exposure to the vicissitudes of the weather, and his natural rest being interrupted, may render him the more susceptible. In most epidemics of this nature, the young and robust, those in the full vigour of life, are the chief sufferers, while those previously reduced by disease or other causes, either experience a mild attack, or escape altogether.

14. These observations apply generally.

15. The casemate barracks at Ireland are crowded, badly ventilated, and the health of the men likely to be seriously affected by the emanations from the privy.

The

The only hospital at Ireland Island is the Naval, placed at an elevation of about 50 feet on limestone rock. It has four wards for men, each 50 feet long, 24 ½ wide, and 12½ high in the lower, and 10½ in upper wards, capable of holding together 72 patients; and there are four apartments (each to contain one) for sick officers. The site is the most eligible that could be procured. The ventilation is defective; the contaminated air of the wards not passing off readily, it is necessary to open windows which, by allowing a current of air to pass over a patient, is objectionable. The hospital is plentifully supplied with water from tanks under the building. The men have a water-closet, furnished with four seats, the soil being carried off into the sea through an iron pipe.

16. I have been in charge of the Naval Hospital at Ireland for the last six years.

17. Calcareous. Hard limestone, broken shells, and coralline formations being the chief part of the geological structure of the islands. The cultivable part of the islands is composed of marly soil. Marshes prevail to a considerable extent in the main island, arising partly from percolation of the sea, and partly by rain water being detained in hollows formed in the compact limestone. These marshes form a source of miasm, which is most probably injurious to the health of individuals exposed to its action. The islands I imagine to be of coral formation; the soil or ground to be produced by the action of heat and water upon salts of lime and decomposed vegetable and animal organizations. I am not sufficiently acquainted with the town of St. George to be able to give a full answer to the part of the question which applies to it, but as far as a cursory observation goes, it appears to be very badly situated with respect to purity of air, and it must receive a good deal of the detritus from the hills at the foot of which it is placed. The lower part of it is crowded full of narrow, crooked lanes, with a total absence of drainage, and an utter disregard to the cleanliness of the streets, &c. I believe the supply of water to the dwellings is very deficient. With regard to Ireland Island, the inhabitants, exclusive of the military, consisted at the commencement of the epidemic of 460, occupying 62 dwellings, scattered over the island, every dwelling giving to each person a space of 1,430 cubic feet to live in. The officers' houses have water-closets, the artificers' privies and cesspits, which are being abolished, and water-closets, with pipes to carry off the soil, substituted. There are no lanes on the island. Pigstyes and slaughter-houses are forbidden. Inspections of the houses are made from time to time, and all accumulations of dirt and rubbish prevented. Immediately under the hospital is a lagoon, into which the tide flows and ebbs; at a short distance from this lagoon is the burial ground. A very offensive smell has constantly in hot weather been complained of at the south end of the lagoon, to obviate which, various plans have been pursued, with only partial effect; but since the increase in the number of interments during the epidemic, the smell became of even a more offensive character, and this aggravation was thought possible to have arisen from the water entering the graves, and on the falling of the tide passing into the lagoon, charged with decomposing animal matter. Several of the men of the 56th regiment, who were posted near the lagoon, were attacked by the epidemic; but then so were others both on Ireland and Boaz, who had not been similarly exposed.

18. I am not aware how the night soil at Hamilton and St. George's is disposed of. I have seen only one privy at St. George's, and in that the soil was accumulated, and the stench from it insupportable. The effect on the health of persons living near must have been detrimental, and this would materially assist in the developement of epidemic disease.

19. St. George's has suffered at irregular periods from epidemic fever, in 1779-80, when it continued through the winter; in 1796, then commencing at the west end of the islands, and in 1812. In 1818 fever commenced at Ireland, extended to Somerset, did not reach St. George's that year, but in the following one a very fatal fever broke out in that town. In 1837 a fever prevailed at Ireland Island, but did not extend beyond it. In 1843 the fever first appeared at St. George's, about the 16th August; did not reach Ireland for a month, and was still longer in reaching the main land. In that year the mortality was about one in ten of the persons attacked. In all these visitations the native population appeared to have enjoyed a comparative immunity, very few having suffered in proportion to the other inhabitants.

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20. At Ireland and Boaz Islands, 309 of the 56th regiment; artillery and sappers, about 110 in addition.

21. At the first intimation of the outbreak of the epidemic at St. George's, a house to house inspection was made by the naval storekeeper, deputy-inspector, and clerk of the works. The dwellings were in general found very clean. The number of persons inhabiting each was reduced, the ventilation was improved where considered necessary, privies and tanks cleared out, and chloride of zinc extensively used. With respect to the garrison, the numbers in barracks were reduced, a temporary barrack fitted up in the dock-yard, and 150 men drafted to Tucker's Island. Exposure of the men limited as much as possible; sentries nearly altogether withdrawn. The men when taken ill immediately conveyed to the hospital.

22. }
23. } Referred to the officers of the Convict Establishment.
24. }

25. No.

26. A still state of the atmosphere, high temperature, humidity, and southerly winds.

27. From some minutes in my possession, these conditions appear to have been much the same in 1853 as in 1843.

28. The temperature in July, August, and September was of about the average height of those months; in October and November it was about five degrees above the average of four years. Nearly four times the usual quantity of rain fell in July, in August about the average, in September more than double; in October, always a very wet month, rather less than the average; in November and December considerably more than double. There was less electric fluid pervading the air, as shown by the occurrence of thunder and lightning, from July to November.

29. Unacclimated natives of northern climates, of full habit, and apparently of healthy constitution.

30. Not altogether exempt, but less susceptible. In general females and children are not so frequently attacked by yellow fever as adult males, but this does not appear to have been the case in the late epidemic. Whites more frequently attacked than the coloured, and the disease infinitely more fatal with the former.

31. That it certainly is not.

32. Yes.

33. The best means of prevention I conceive to be a strict attention to the general rules of maintaining health, including cleanliness, the breathing an uncontaminated atmosphere, the removal of known causes of disease. The avoidance of exposure to cold or excessive fatigue, and errors of diet. With respect to towns, the adoption of a proper system of sewerage and drainage, prevention of accumulation of soil, and decaying animal and vegetable substances. Removal of a burial-ground from the neighbourhood. The immediate removal of the sick from the healthy. Where troops are concerned, in addition to the above, immediate change of quarters to an uninfected district on the first appearance of the disease, giving them plenty of space for sleeping in, airing the bedding frequently.

In the summer months, where no disease is even suspected to exist, a portion of the troops should be placed in tents, or temporary barracks, to give more room.

34. Desertion of the affected district, and strict prevention of intercourse with it, in addition to measures recommended in Answer 33.

35. After the removal of the troops from St. George's to the Ferry, I believe the progress of the disease was nearly altogether stopped among them; it certainly was checked. At the time of the removal of the 150 men from Ireland, most malignant cases were daily coming into the Naval Hospital from the detachment there, and they continued to do so frequently up to the end of November, while only three cases occurred among those sent to Tucker's Island, and they were very slight.

36. The infrequency of the recurrence of this disease is not peculiar to Bermuda; the same phenomenon has been remarked at Gibraltar and Cadiz, situated nearly in the same latitude as Bermuda, and in other places in the south of Europe. Brazil had been upwards of 60 years free from it, when it re-appeared.

re-appeared. At one period a similar immunity for a number of years was experienced in the West Indies. I am not aware that this feature has been satisfactorily accounted for.

37. I have no means of ascertaining.

38. I have no further suggestions to offer.

Are you of opinion that casemate barracks or forts are proper habitations for troops in this climate during the summer months?—Yes; provided they are properly ventilated, and that they are not too crowded. I refer to my answer to question No. 12, in which will be seen what cubic space each man should have allotted to him.

Are you of opinion that the confinement of prisoners on board hulks in the hot months is prejudicial to their healthy condition?—Yes.

(signed) *Edward Hilditch,*
Deputy Medical Inspector.

No. 11.

Answers of S. S. D. Wells.

Answers by *S. S. D. Wells*, Assistant-Surgeon, Royal Naval Hospital, Ireland Island, Bermuda.

1. I have been in Her Majesty's service eight years and eleven months, having entered the Royal navy as an assistant-surgeon on the 8th March 1845. During this time I have served 35 months in the West Indies (within the Tropics), three years and nine months at this hospital, and the remainder of the time at Halifax, *en route* to England to be paid off, on the home station, and in returning to this.

2. While an apprentice at this hospital I first saw the disease "yellow fever," during an epidemic fever in 1837. While serving in Her Majesty's ship "Persian," in the Gulf of Mexico, this disease appeared almost simultaneously on board every vessel then at the anchorage of Sacrificios; 27 cases, of whom two died, then came under my notice. The disease was considered epidemic, and was checked by the coming on of the "northers." While attached to the Naval Hospital at Jamaica, 105 cases came under my notice, but it is doubtful if these can be considered as an epidemic visitation, the patients having been received principally from ships which had cases on board on their arrival, and as the disease was not prevalent among the inhabitants of, or the troops stationed at, Port Royal.

3. The first case of the late epidemic, which came under my personal observation, was admitted into this hospital on the 28th August. It was a case of the disease in its mild form. The first case which came under my personal observation in the malignant form was admitted on the 12th September.

4. The case first mentioned I believe to have originated on Ireland Island. Of the patient's previous movements I am unable to speak authentically, having no authority to question his commanding officer, he being a private of the 56th regiment. This man recovered; he was nine days in hospital. The second case, also a private of the 56th regiment (Thomas Wilcock), stated on admission, that he believed the cause of his sickness to be over indulgence in spirits, and that the means of procuring this was obtained as pay for extra duty, whitewashing, cleansing, &c. barrack places at St. George's; it terminated fatally three days after admission, but was not a well-defined case of black vomit; for, although that fluid was found in the stomach after death, it was not ejected during life. The first "well-defined case of black vomit" was that of a corporal, 56th regiment (Matthew Dunne), who, I believe, contracted the disease at St. George's, whither, I have been informed, he was sent to stand a court martial. He was admitted from Hamilton on the 13th, and died on the 16th September.

5. During the whole time of the prevalence of the late epidemic, I was attached to the Naval Hospital only. The nature of my practice was to follow the directions, and carry out the views, of the head of the establishment. While performing this duty 129 cases came under my personal observation.

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This number may not perhaps agree with that given by other officers, but I have not included those cases which occurred during my illness, nor indeed any one which I did not personally attend.

6. My present opinion is, that "that epidemic fever" was of local origin. That there was an epidemic influence in the atmosphere, and that the disease was engendered in those situations which possessed to the greatest extent the necessary localizing influences.

Of its nature, I am of opinion that it was the "yellow fever" (so called) of the West Indies, that it was of a remittent type, and presented the forms of mild and malignant.

7. My opinion, as at present stated, does not in any way differ from that I entertained early in September, or indeed on the admission of the first case, on the 28th August.

8. I do not think it is communicable. The instances which have assisted in establishing that opinion are briefly as follows:—The first three malignant and fatal cases (Wilcock, Dunn, and Byrne), who had evidently contracted the disease at St. George's, and were sent to this hospital for treatment, had during their illness in attendance on them, by day or night, no less than 15 of the convalescent patients; none of these, and no attendant or medical officer suffered. The next malignant cases were from Hamilton (56th regiment), on the 24th and 25th September. Both these died, with black vomit, in about 72 hours from the time of admission. Seven convalescents attended on these; no one suffered. On the 29th September 33 cases, some presenting the most severe form of the disease, were received from St. George's. The hospital staff were busily employed with these men in the wards from 3 P.M. till 11 P.M. At the latter hour the night watches were arranged, of convalescents, nurses from the garrison on this island, and native nurses. My brother officer and myself spent the whole night in the wards. It was a close, damp, calm night, and the thermometer in the open air did not fall below 71°. The wards were exceedingly close and offensive, and the effluvia from the bodies of many of the patients, but more particucularly of one on whom we were in close attendance, was so sickening that we were obliged to relieve each other frequently, and to have chloride of zinc and aromatic vinegar freely sprinkled about to relieve the oppression thereby induced. I never, under any circumstances, was in wards which were so offensive; moreover the clothing brought by some of these men was in the ward all night under the cradles; from the limited staff at command, and the numerous calls on them, this was unavoidable.

Here, then, were causes of fomites and effluvia most offensive, and might have been expected to be loaded with the exciting cause of the disease, but that disease was not communicated to any one of that night's party. We had pure native blood, half native blood, and pure northern. My brother officer, too, was only a few weeks from England.

9. Under no circumstance, in my opinion, does the disease become communicable.

10. I am not of opinion that the fever was imported.

11. It is my opinion that a specific miasma, indigenous to a particular locality, &c. can, under special circumstances, produce yellow fever.

12. This question I am unable to answer, from never having done duty with troops, and being wholly without authentic data.

13. The exposure during the time he is on his post as a sentry, particularly at night, renders him liable to the effect of sudden chills, more especially in wet weather.

I think, also, that the large allowance of spirits, I believe two gills daily, has a bad effect on the general health of these men, as we know that spirits produce deleterious effects on the brain, stomach, liver, and kidneys, which were found to be the organs principally affected in my experience of the late epidemic.

14. For the same reasons as stated in Answer to No. 12, I am unable satisfactorily to reply to this question.

15. As to the localisation of the troops, *see* (A.) The Naval Hospital in Ireland Island, where the troops are accommodated when sick, is, I think, situated in the most eligible site which the island affords. It is a building of two storeys,

storeys, and a basement surrounded by a verandah, which is open in the lower storey, and closed by jalousies in the upper. The basement is appropriated for store-rooms, and the upper portion divided into four wards. The two lower measure 49½ feet in length, 24½ in breadth, and 12½ in height; the upper are six inches wider and longer, and only 10½ feet in height. Each is estimated to hold, under ordinary circumstances, 18 patients; but I think 20 might be accommodated without encroaching on the minimum space between each bed, as directed by the Admiralty instructions. Excluding fractions, the lower wards will be found to afford to each man of 20, 758 cubic feet of space, and to each of 18, 842 feet. The upper, on the other hand, affording only 656 and 729 respectively. The ventilation of the building generally is defective, the more particularly to be noticed in hot, calm, damp nights, or in the winter months, when the windows cannot be opened without admitting currents of cold air directly on some of beds. The sewerage is well arranged, and the water supply abundant, and the quality good; with a moderate breeze a windmill pumps up salt water, and keeps up a constant stream through the water-closets, which are all fitted with pans, flaps, &c. The soil is conveyed through iron pipes into the sea, on the north side of the island. In calm weather fresh water is pumped by hand into the cisterns; and, under all circumstances, the drains are flushed at least twice every day. The want of a free current of water through the pond to the eastward is a defect, in a sanitary point of view, but that is in progress of being remedied. The theory of the water percolating the earth some 40 feet, entering the newly-made graves, and thence returning to the pond laden with noxious matter is, I consider, unsupported by experimental inquiry, for it is pretty generally known that earth and porous stone possess filtering and purifying powers, in a high degree, over water passing such a distance through them.

16. I was stationed on Ireland Island, as assistant-surgeon of the Naval Hospital, from 1st January to 31st December 1853 (inclusive). I have never been stationed at St. George's or Hamilton.

17. (A.) will give my views respecting the barracks, &c. on the island, though I am unable to procure complete, and entirely, and authentic data.

18. I am quite unable to answer this question authentically.

19. Ireland Island was visited by the epidemics of 1818, 1819, 1837, 1843, and in 1853. I have no means of affording any information as to the effects of the fever visitations on natives as compared with strangers. During the last epidemic I can only speak of such as were attached to the establishment, or admitted as patients into this hospital. Of the establishment during the epidemic, there were employed, and in the families of those employed, 13 persons northerners, and 39 native born (though some of these latter had one or both parents northerners); of the former eight were attacked, and three died; of the latter, 14 were attacked, and two died.

20. This I am unable to do.

21. I believe that means were adopted to cleanse the barracks, and precincts generally, on this island, early in September, as also all those portions of the islands under the control of the naval department. Shortly after, I believe that steps were taken to afford more accommodation for the men in the casemate barracks, by sending a party to Tucker's Island, and placing another portion in a building in the dockyard, but I am not aware of the dates when these movements were actually made.

22. This question I am unable to answer. As to the localities they occupy, as they affect their sanitary condition, my views are embodied in (A.)

23. With regard to the position which the "Thames" occupied at St. George's, I have always thought it (in a sanitary point of view) the worst that could have been selected in the harbour. The beach at the foot of the barrack hill has, on every occasion when I have visited it, been disgusting and offensive from refuse of all sorts there accumulated. This I presume to depend on the prevailing summer winds, S. to S.W., giving such a tendency to drift into this cul-de-sac, where the tidal current can have little influence in carrying it away. If the wind be to the eastward of S., it is exactly opposed to the ebb current. The same remarks hold good as to the refuse from the "Thames" herself. We have moreover in that position, independent of the heat of the direct rays of the sun, heat radiated and reflected from the neighbouring cliff; no winds can reach the spot from W. S.W. to N. N.E., which do not pass over the town, and to the

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eastward the cliff keeps off wind in that direction. A limited supply therefore of pure fresh air is afforded, and the ventilation must necessarily be imperfect.

24. I am not aware how long the "Thames" has been moored at St. George's, not having been in Bermuda when she was placed there. It is my opinion that her position is one likely to generate disease among those who live on board her.

25. No summer season has passed since I have been in Bermuda without cases of fever of various types being admitted into the Naval Hospital.

26, 27. Having stated in answer to Question 8, that I do not consider the disease communicable, and as I presume these questions, Nos. 26 and 27, apply to those who hold contagionist views, I shall pass them over, the term spreading being, in my opinion, inapplicable to my view of the nature of the disease.

28. By the table (*see* B.) it will be seen that the maximum temperature in the months of June, July, August, and September was higher than the average of the five preceding years; while the maximum for October was lower. The monthly range (except in September) was less than the average. The table appended is formed from a series of observations, made with the same instrument hung in the same place during the whole period. As to the fall of rain, I find from my own observations that it was less in the month of June than Captain Page's average, and less than that rated last year by Mr. Anderson. In July it was double the former, and more than treble the latter notations of the same month; in August about Captain Page's average, but less than half the fall of 1852. In September it nearly doubled the average, and far exceeded the fall of 1852. It usually fell in heavy and partial showers (*see* C.)

29. My experience of the disease has been too limited, and too much confined to practice among sailors and soldiers only, for me to have had an opportunity of maturing my opinion on this question, as to predisposition.

30. I believe the natives of the colony most generally suffer from yellow fever in its mild form, and as far as my experience goes (as stated in answer to Question 19), the attacks are numerically greater, and deaths with malignant symptoms more numerous among Europeans. Females I believe to be much more susceptible of the disease during the puerperal state, than males are at any time. Children also more susceptible than adults, and white than coloured persons of the same age and place of birth.

31. I am of opinion that the disease, as I witnessed it during the late epidemic, cannot be communicated by the direct contact stated in this question.

32. I think that yellow fever may be produced in Bermuda by the combined action on the human body of the effects of emanations from decayed and decaying vegetable and animal matter, and unfavourable states of the atmosphere.

33. Attention to personal and domestic cleanliness, removal of all substances which vitiate the surrounding atmosphere, ventilation of houses, free and effectual, and more particularly of basements and cellars, with great attention to the drainage of these latter; effectual sewerage arrangements, by which the night soil, &c. be removed; in short, I would suggest peremptory measures to enforce general sanitary reform.

34. The remarks appended to Questions 26 and 27, apply with equal force to this one.

35. It is not known to me.

36. Because the all-wise Disposer of events so wills it.

37. I do not.

38. I have added certain appendices applying to Questions 15, 17, and 22, also to 28.

As to suggestions, I shall respectfully lay some before you, and with reference to them, as also to the opinions which I have expressed, I may add that I do so with all deference to men who have had more experience, and more extensive fields of observation, than have fallen to my lot. My reasonings may be illogical, my deductions incorrectly drawn, or my mode of investigation faulty, and from limited experience my observations less accurate than they might be; but having been thus called upon to answer this series of questions, I have endeavoured to do so to the best of my ability, and conscientiously believing my statements to be correct.

I would suggest that localities be particularly studied, and the date of appearance of the disease, and the rates of mortality in these compared with the same

data

data during former epidemics. That this inquiry should not only be made relative to those buildings and ships which are under the control of Government, but also every house in the towns, or in the country where a case of fever has been known to exist. That the state of the drainage around, the condition of the basement, whether cellars or otherwise, as to drainage or ventilation, the state of the joists and flooring, the circumstances of the occupants, as to personal and domestic cleanliness, and provision for food and clothing; if any attention is paid to ventilation, the arrangement of sewerage, if any, the supply and quality of the water, and the business or trade of the occupants. Under the head of ventilation would come the cubical space allotted to each person while sleeping at night; and in the poorer tenements, the drainage as applied to cellars would include whether these were wholly, partially, or not at all floored.

There have been many isolated cases of the disease during this late, and I believe during former epidemics, and it would be valuable to know if any preference to certain localities can be traced.

(A.)

Since the appearance of the late epidemic among us, I have heard much discussion on the question of "importation" of the disease, and have heard many persons confidently state "that yellow fever never had its origin in Bermuda at any time, but was always imported." I well remember the opinion of the late Dr. Kennedy, who was surgeon of this hospital in 1837, as to the origin of the fever that prevailed epidemically in that year, and gave it in opposition to such statements. The treacherous memory of youth was said to render my testimony invalid, and I was therefore led to search the records of the hospital to find any facts or documents which could set me right, and confirm either opinion; while so doing, I was struck with what appears to be a great contrast in the healthiness of certain localities in this island, as compared with others. I give the results of my inquiry, though imperfect, being unable in my subordinate position to obtain authentic information from the different departments. As to the question of importation, it is stated that the fever was brought in her Majesty's ship "Seringapatam" from Havanna, and that no case of the disease existed on Ireland Island, or in Bermuda, until after that ship arrived.

I find, however, that of 26 patients remaining in hospital on the 30th September 1837, three were cases of fever, and had been admitted as follows: one a convict from the "Dromedary" on the 19th September, one a boy from the naval yard on the 29th September, and one a boy from the "Royal Oak," also on the 29th September. On the 1st October a case from a merchant brig, the "Margaret." The position of these vessels in the Camber at the yard must be now noted; the "Dromedary" occupied her present position, the "Royal Oak" that lately occupied by the "Weymouth," alongside the dockyard, and the "Margaret" ahead of the "Royal Oak," and between that ship and the "Dromedary." The four cases already mentioned were mild, and all recovered.

The "Seringapatam" arrived on Thursday, the 5th of October, from Havanna, in a passage of 30 days, and anchored in Grassy Bay. In the Royal Gazette of the 10th October 1837, it is stated "The 'Seringapatam' has no fever on board, and is in a particularly healthy state, having only two cases on the surgeon's list, and those resulting from accident." Her Majesty's ship "Pearl" arrived from Portsmouth direct, on the 6th October, and requiring refitting, hauled inside the Camber, and the crew turned over to the "Royal Oak." Fever appeared among them, and the first case from this ship's company was admitted on 15th October; between the 1st October and this date, there had been admitted from the 30th Regiment two, from the "Dromedary" three, from the Naval Yard one, and from the "Margaret" one. On the 19th October, in a letter of that date, Dr. Kennedy recommends the removal of the "Dromedary," and in another of the same date to Captain Leith of the Seringapatam, senior officer present, he recommends the removal of ships of war to as great a distance from the shore as possible, and to hold as little communication with it as consistent with carrying out the duties; he also recommended the removal of the "Pearl's" crew to Port's Island, which was done at once. In a letter of the 28th October, the removal of a portion of the "Coromandel's" convicts was recommended, and a thorough cleansing and ventilation of her lower decks, as it was found the ship could not be moved under a week's preparation. In his report to the director-general, Dr. Kennedy not only states that the fever first appeared in the "Dromedary," but that it there first showed its malignant character.

Appendix.

Answers of S. S. D. Wells.

The following Table, showing the date of the first case admitted into hospital from the different sources, and rates of the mortality, will be found useful for future comparison:

Whence, and Date of 1st Case.	Ratio of Mortality.	Whence, and Date of 1st Case.	Ratio of Mortality.
Dromedary, 1st case, 19 Sept. -	1 in 4·4.	Weymouth - - - -	2 cases; no death.
Coromandel, 1st case, 16 Oct. -	1 in 10.	Margaret, 1st case, 1 Oct. - -	5 cases; no death.
Coromandel, 2d case, 27 Oct. -	—	30th Regiment (1st Company) 1st case, 11 Oct.	1 in 9.
		Sappers, 1st case, fatal one 23 October.	1 in 3·5.
Pearl, 1st case, 15 Oct - -	1 in 11.	Engineer Department - -	1 case; no death.
No deaths of cases sent from Port's Island - - - - -		Artillery, 1st case, 17 Oct. -	2 cases; no death.
Naval Yard, 1st case, 28 Sept. -	1 in 6.	Seringapatam, 1st case, 23 Oct. -	1 in 6.
Royal Oak, 1st case, 29 Sept. -	No death of two cases.	Cornwallis, 1st case, 30 Oct. -	1 of 2 admitted died.
		—	

Thus it will be seen that the disease appeared to develope itself earliest, and in greatest intensity, around the locality of the "Dromedary." The "Coromandel" suffered little, sending only 10 cases, while the former sent 44; and the "Pearl's" crew, who arrived after the "Seringapatam," and direct from England, but were exposed to the influence of this locality, sent at an early date so many cases, 34. The company of 30th regiment occupied the barracks where the sappers now are, the barracks which the sappers then occupied having been since pulled down. The artillery were in their present quarters. The artillery sent two patients, the 30th regiment nine, and the sappers seven; the casemate barracks were not then finished.

This Table applies to the Epidemic of 1843.

Whence, and Date of 1st Case.	Number of Cases Admitted.	Ratio of Mortality.	Whence and Date of 1st Case.	Number of Cases Admitted.	Ratio of Mortality.
Dromedary, 21 July - - -	163	1 in 7·8.	Thunder, 15 August - - -	28	no death.
Coromandel, 25 August - -	223	1 in 10·6.	Lark, 25 August - - -	10	no death.
Naval Yard, 7 August - -	46	1 in 9·2.	Tenedos, 10 August - - -	269	1 in 13·4.
Sappers, 21 August - - -	22	no death.	Weymouth - - - -	2	no death.
Royal Artillery, 9 August - -	19	1 in 4·75.	Antelope (St. George's), 31 July	108	1 in 5·4.
20th Regiment, 5 July - -	131	1 in 11·9.	—		
Naval Hospital, 13 August - -	12	no death.	Magnet, Merchant Vessels at Dock Yard - -	1	no death.
Barrack Serjeant, 13 August -	1	no death.	Forager, Merchant Vessels at Dock Yard - -	2	no death.
Engineer Department, Oct. -	1	died.	Ireland Island (Servants) - -	2	no death.

The "Dromedary" sent 32 cases, of whom five died; and the 20th regiment (casemate barracks) 36 cases, of whom three died in July and August, while the "Tenedos" sent only 11, and the "Coromandel" 1 in that time, showing the priority of attack in "Dromedary" and casemate barracks. The ratio of mortality shows the disease to have been more fatal in "Dromedary" than in "Tenedos" or "Coromandel." They occupied the same places as in 1837, except "Tenedos," which was not here in 1837. I was not in Bermuda in 1843, but have collected the above as authentically as I possibly could.

This Table applies to the Epidemic of 1853.

Whence, and Date of 1st Case.	Number of Cases Admitted.	Ratio of Mortality.	Whence, and Date of 1st Case.	Number of Cases Admitted.	Ratio of Mortality.
56th Regiment, Ireland Island, and Boaz Island, 28 August.	62	1 in 274.	Royal Artillery - - - -	7	1 in 7.
			Naval Yard - - - -	2	no death.
Sappers, 11 September - -	4	no death.	Naval Hospital - - - -	11	1 in 5·5.
Royal Engineers - - - -	1	no death.			

This table does not include any patient supposed to have contracted the disease in other localities than Ireland and Boaz Islands.

It

It would be very interesting to note the state of health of convicts of the "Medway," and the date when fever appeared in her, as she has lately occupied the position which, from the experience of the past with the "Dromedary," has appeared the most unhealthy. The effect of the change of position in the "Dromedary," she having occupied the "Coromandel's" old place, would also be interesting. The state of health of the dock-yard people, among whom no death occurred, is, I consider, due to the great improvement in their sanitary condition since 1843. I do not myself see any ground for supposing the disease to have been brought from St. George's to Ireland either in 1843 or 1853, as it appears to me to have been generated simultaneously in both localities, but that it first assumed malignant character at St. George's. The inquiry as to the healthiness of the locality near the "Dromedary," and the casemate barracks, with its present sewerage arrangements, are, I think, worthy the attention of those who can command correct data of all the facts *pro* and *con*.

As a future position for the "Thames," I would suggest that Hen Island, in St. George's Harbour, be purchased by the department, as there appears to be plenty of water on the S. W. side, so that she might be moored, afloat, close to the shore. The island would afford space for the men to wash and dry their clothes when not employed on the works; and were it deemed necessary, room could be found to build accommodation for a military guard. All refuse would be readily carried away by the tide, which runs freely round the island. I cannot estimate the expense, but with such a mortality as occurred in the "Antelope" in 1843, and in the "Thames" of late, I cannot suppose it could be called in question.

(B.)

Average of Five Years.	6. A.M.		Noon.		6 P.M.			6 A.M.		Noon.		6 P.M.	
In the month of	Highest.	Lowest.	Highest.	Lowest.	Highest.	Lowest.		Highest.	Lowest.	Highest	Lowest.	Highest.	Lowest.
June - - -	79·12	68·25	83·12	68·25	80·1	66·37		80	70	84	74	80	71
July - - -	81·62	74·	85·5	76·	82·75	74·75		80	76	86	79	82	76
August - -	81·75	74·75	86·75	74·	82·37	73·12	1853.	82	75	87	77	83	75
September - -	80·62	72·75	84·75	72·87	81·	72·12		80	71	87	70	82	69
October - -	77·62	66·62	81·87	69·75	77·87	66·12		76	67	80	70	76	68

(C.)

Comparison of Falls of Rain.

MONTHS.	Captain Page's Average.	Mr. Anderson's Register, 1852.	My own Observations, 1853.
	Inches.	*Inches.*	*Inches.*
June - - - - - - - -	5·34	4·01	3·37
July - - - - - - - -	4·65	2·67	9·52
August - - - - - - -	3·37	7·00	3·26
September - - - - - - -	3·93	4·91	7·49

30 January 1854. *Samuel S. D. Wells.*

Appendix.

Answers of Assistant Surgeon Lilburne, R. N.

No. 12.

ANSWERS of Assistant Surgeon *Lilburne*, R. N.

1. OVER seven years in the Royal Navy. I have served in the Mediterranean, North America, and West India stations.

2. At Port Royal Hospital, Jamaica, during the time of the fever on board Her Majesty's ship "Pantaloon," in 1847, and that of Her Majesty's S. S. "Vixen," in 1848.

3. On the 14th July 1853.

4. This case occurred in a man belonging to the Royal Artillery, who was employed as a baker in the commissariat bakery at the dockyard. He arrived from St. George's about the 9th June, to be so employed, and was sent to the Royal Naval Hospital on the 14th July with dysenteric symptoms, but which merged into those of fever, of which he died on the 22d July. There was no irritability of stomach in this case, and therefore no vomiting.

5. At the commencement of the epidemic I was employed at the Royal Naval Hospital and dockyard at Ireland Island, afterwards attending the dockyard people and troops stationed here. About the middle of September I was sent to St. George's, but was afterwards ordered back to the island, when I was again placed in charge of the dockyard and troops. I continued there until the 2d November, when I was ordered to the Royal Naval Hospital, where I still remain.

6. I believe it arose from a peculiar state of the atmosphere, (with the nature of which state I am at present unacquainted); but this acting on animal and vegetable matter in a state of decomposition, caused the exhalation of a morbific poison, which affected the systems of those who were susceptible of the disease.

7. No.

8. No; but I believe that by collecting a large number of fever cases in the same locality, that the surrounding atmosphere becomes so impregnated with the emanations from the bodies of those suffering from the disease, and that the attendants, such as medical officers, &c., breathing the air thus deteriorated, are rendered more susceptible of the disease than those breathing a purer atmosphere.

9 and 10. Unanswered.

11. Yes.

12 to 14. Unanswered.

15. The site, accommodation, and conveniences of the Royal Naval Hospital at Ireland Island are good, but the ventilation is very indifferent.

16. At St. George's, on the 18th and 19th September; during the rest of the epidemic at Ireland Island.

17 to 20. Unanswered.

21. Having had occasion to call the attention of the deputy medical inspector of this establishment to a filthy smell emanating from a tank in one of the houses belonging to the dockyard, and in which I had a patient labouring under fever, induced, I have no doubt, by this effluvium. A general inspection was the consequence of this, when tanks were cleared out, pigsties removed, sewers flushed; in fact, a thorough cleansing took place all over the island, at least all that belonging to the naval department. This took place about the first week in September.

22 to 24. Unanswered.

25. During the period of nearly three years that I have been stationed at Ireland Island fever of an ephemeral character has appeared to a greater or less extent every year.

26. A humid state of the atmosphere, with a high temperature, and easterly winds.

27. No.

28 to 30. Unanswered.

31. No.

32. Yes.

33. Thorough ventilation and perfect cleanliness are the best preventives.

34. Separation of the cases, and the removal of every soul from the locality where

where the disease first makes its appearance; should it continue to spread after this, again separate and remove.

35 to 37. Unanswered.

38. No.

R. N. Hospital,
Ireland Island, Bermuda,
22 January 1854.

James Lilburne,
Assistant Surgeon, R. N.

No. 13.

Answers of Surgeon *Parratt*, Ordnance Medical Department.

1. I have been nearly 24 years in the Ordnance Medical Department. I have served for a short period in the West Indies, also in Canada, China, and Great Britain.

2. I witnessed one epidemic visitation in Hong Kong, and was present at two irruptions of Asiatic cholera in Canada and England.

3. The first case came under my personal observation about the 6th November last.

4. The case originated at Hamilton; the patient was a private of the 56th regiment, employed as cook for 12 men, and resided in the barracks there; I attributed the cause of the attack to the influence of a very offensive privy, with imperfect drain. The case ended fatally in four days, and was attended by well defined black vomit. The drain has since been replaced by a new one of larger dimensions, and circular.

5. The day after visiting the above case, 7th November, I was myself taken ill with fever; and having only arrived in the colony on the 2d November, and returned to duty on the 1st January, I have had no opportunity of practice.

6. That the disease was nothing more than an endemic originating in these islands, aggravated by a particularly hot summer, and some other occult causes combined, the same most likely as have existed lately in the Southern States of America and the West India Islands, and causing so fatal an epidemic to prevail in those countries, but of the nature of which influence so little is known at present. I am of opinion that the nature of the late epidemic, from the little opportunity I have had of judging, partook of that of yellow fever, varying, however, much in its type and nature, and modified by age, temperament, habits (country born), locality, and temperature of the atmosphere.

7. No, I think it is not different to my opinion generally formed, so far as I can judge from the information obtained.

8. My opinion is, that yellow fever is communicable; and I have arrived at that conclusion from the number of medical officers, jurors, hospital serjeants, convict guards, and attendants, who have been reported to have either died or suffered severely from the late epidemic; also the surgical cases which have either been in the same hospital, or near to it, which have taken the disease. In the Ordnance Hospital alone six orderlies and two hospital stewards died of the disease, viz.:

Stewards and Orderlies.	Convict Guards Died.	Jurors Died.
Serjeant Wm. Shand, R. A.,	Mr. Gray.	Mr. Cusack.
Corporal W. M'Birney, R. A.,	Mr. Campble.	Mr. Rowlandson.
Gunner J. Robson, R. A.,	Mr. Wilson.	
Gunner B. Moger, R. A.,	Mr. Virtue.	Mr. Cusack's wife and two children died of the disease.
Gunner R. Keast, R. A.,	Mr. Bird.	
Gunner J. Kennedy, R. A.,	Mr. Phillips.	
Gunner D. Alexander, R. A.,	Mr. Underwood.	
died from the effects of yellow fever.	Mr. Taylor.	

Appendix.

Answers of Surgeon Parratt.

In addition to these, Mr. Moore, hospital steward, died at the Naval Hospital and others; 56th regiment, one hospital serjeant died; two were dangerously ill; and Dr. Deeble states between 20 and 30 orderlies, and numerous officers' servants, who attended on their masters, amounting to 16. Gunner Thomas Goodwright, admitted into hospital with a wound of his throat, at St. George's, and Gunner Nesbitt, with venereal disease, at Port's Island, both died of fever, although placed in tents near the hospital; also a case of chronic ophthalmia of the 56th; some I believe also occurred in the Naval Hospital.

9. My impression is, that yellow fever becomes communicable when it assumes a malignant, low character, in ill-ventilated abodes, or crowded hospitals or hulks, especially when the medical officers, attendants, and relatives are Europeans, and worn out with fatigue and mental anxiety, which I believe to be the reason so many of them have fallen victims to the disease.

10. I am of opinion, so far as I can judge, that it was not imported; but this interesting point required to be thoroughly sifted, and the matter set at rest.

11. I believe that sporadic cases of yellow fever occur here more or less in ordinary seasons, at least so I have been informed. I know of one case which is recorded to have occurred in the Ordnance Hospital, in the month of December 1852; another case on the 25th January 1853, reported by Dr. Deeble. *Vide* also the tablets in the churches.

12. The ration consists of one pound of bread and one pound of fresh meat or salt pork per day, Mondays and Thursdays being the days salt pork is issued. The undermentioned are the cubic spaces per man of each barracks in St. George's, viz., Royal Barracks, 393·0; Sappers' Barracks, 417·0; Fort Victoria, 350·0; Hospital (56th regiment) 545·0. The sick are accommodated in hospital, except those amongst the women and children. No effective system of separation is carried out amongst the latter. The troops are distributed to St. George's, Hamilton, and Ireland Island. The sanitary condition of St. George's admits of great improvements. There should be a military hospital at Ireland, and barracks and hospital in or near Hamilton.

13. I think the soldier is particularly prone to attacks of fever, from his indulgence in spirituous liquors, and his European origin; his dress is also little adapted for the summer months. I also think, with the excellent ration of animal food, a very much larger proportion of vegetables should be obtained, especially in the summer, when the system becomes unduly stimulated by this omission, and thirst, &c. consequently induced. Pickles in barrels might be brought from the United States at a very small price.

14. The force of the epidemic seems to have expended itself chiefly on the troops at St. George's; but I can only judge by the statement of others, as I have had no experience or familiarity with one place more than another. The ready access the soldier has to spirits, compared with that of Ireland Island, is known to all, and the comparative drunkenness consequently much less at one place than the other in each branch of the service.

15. The absence of effective police regulations; the want of cleanliness, order, and sobriety in St. George's, and the intermixture of the soldiers and their wives and families amongst the inhabitants, in over-crowded, ill-ventilated abodes, where their husbands reside with them, must tend to foster disease of mind and body, and bring fevers and infectious diseases amongst the troops, or *vice versâ*. There is one good hospital close to the sea shore, on the northern side of the land, directly behind the barracks, calculated to hold 50 men, and the Ordnance Hospital, very inconveniently situated a mile from the barracks, on the road towards Hamilton. It is wooden and illegible, from its structure, site, and only capable of holding 16 men. One great disadvantage the Ordnance Hospital has, is that the deceased soldier is brought through the town of St. George's to the burial-ground on the eastern side. This occurred during the epidemic. On Ireland Island the Naval Hospital is an admirable establishment, capable of holding 80 men, conducted on a liberal scale, but much too far off for military purposes, even for the troops stationed on Ireland Island. It has, however, proved of advantage during the late epidemic, notwithstanding the great inconvenience, danger, and suffering to which the sick soldier was exposed in getting there.

16. I have only been in St. George's since the 1st January. *Vide* explanation afforded in No. 6.

17. The

17. The soil appears chiefly sand. The town of St. George's is situated within an amphitheatre of low hills, and opened completely to the south. A little beyond the eastern side, on a ridge, is the barracks, and around are the forts. The principal burial-ground is in the centre of the town. There are two slaughter-houses in the town, which should be removed. I see some pigs kept, and many ruinous buildings and ill-cultivated gardens. For further particulars *see* No. 15. All these circumstances tend to engender fever.

18. In both places the soil is disposed of the same way, viz., at long periods, by digging deep holes in the garden, &c., where the soil is deposited. Generally there are no cesspools, or ash-pits, or drain of any kind. I never witnessed a place where the absence of these preventives against disease were so manifest as at St. George's. The only way I can account for it is, that the corporation are entirely without funds, and look, therefore, to the Government for assistance. Hamilton seems in a fair way to become, in time, just as bad, as the system of drainage is the same in both places; although Hamilton, being modern, has wider streets, and funds.

19. I believe St. George's has always suffered severely from epidemic diseases. I have been stationed at no other post. *See* No. 6.

20. This will be better described by those who were in Bermuda when the disease broke out.

21. These means will be better described by those by whom they were adopted, and were on the island at the time of the outbreak of the epidemic.

22 and 23. Unanswered.

24. Some years. Her position could scarcely be worse, being directly under a nearly perpendicular bank, nearly 130 feet high, where the inmates would be deprived of a free circulation of air, being of southerly aspect, exposed to great heat. I can easily conceive disease when once on board becoming fostered, and the miasm conveyed by the wind to the barracks to leeward, directly above; but also by means of the dead bodies conveyed across the end of the barracks to the convict burial-ground, and by the guards sent into the town as already alluded to.

25. I believe that bilious remittent fever is endemical to Bermuda, which is only a mild term for yellow fever in my opinion.

26. A damp warm wind from the east and south-east, and the temperature above 70° Fahrenheit.

27. Yes, and it seems to have been the case in 1843.

28. The summer was more than usually warm, and more rain fell, I believe, in the spring.

29. Those of a plethoric habit, and Europeans lately from their native climate.

30. They are. I believe females are generally more exempt than males from yellow fever, adults than children, and coloured than white persons.

31. I believe yellow fever is communicated not so much by direct contact as by inhaling the miasm conveyed from the patient's body, either alive or soon after death. It is probable that such may be (in very malignant cases) conveyed to others by means of the clothing; but my experience does not enable me to speak positively on this subject.

32. I am decidedly of this opinion.

33. Sound moral and religious habits, conducing to industry, temperance, &c. Spacious houses, drainage, and cultivation of the land; police regulations, enjoining the sweeping of the streets, removing of nuisances, and checking ill-conducted houses of entertainment, the sale of wholesome malt liquors at a moderate price, &c. &c. *See* No. 34.

34. The immediate removal of the healthy from the sick and the infected locality; but as prevention is better than cure, as each warm season commences, an epidemic should not be waited for, but a part of the men may be, with much propriety, encamped near their barracks, or at a convenient distance from the same.

35. The result appears to have been salutary, so far as the healthy were concerned. Those, however, who were present and witnessed the results are better able to offer an explanation than myself.

36. Because it only comes as an epidemic in very unfavourable seasons, when fevers become pestilential.

37. Unanswered.

Appendix.

Answers of Surgeon Parratt.

38. I beg most strongly to suggest that the tax may be entirely taken off porter and wine, and great discretion used in granting licences to publicans; for evident reasons also the public-houses should not be closed until tattoo, and that an undue exportation of potatoes be checked, which are rendered scarce by their being sent off the island; also that persons should be encouraged to bring into cultivation the large tracts of waste lands, so that not only could ships' crews be supplied with vegetables at a cheap rate, but the troops also. That the hospitals should be supplied by native orderlies from an organised corps of blacks, either raised in this colony or the West Indies. These men, feeling they had a claim on the Government, would cheerfully perform duties on emergencies, such as have occurred in the late epidemic.

I would further suggest that proper accommodation should be provided in each military hospital for sick officers, many of whose lives might, I think, have been saved if such had been at hand during the late epidemic. So convinced was I of the advantage afforded by such an arrangement, that directly I became ill I requested to be taken to the Naval Hospital (as there was no military hospital available), where, under the superintendence of Dr. Hilditch, I experienced every kindness and attention that skill and humanity could dictate.

That the troops should have the same advantage that a similar rank in life now have in England, viz., baths and wash-houses, and the married people be accommodated with huts or cottages, erected by the Government, in the vicinity of the barracks, and let at a small remunerative rent, with a small portion of land attached to each, in order that the soldier may not only raise vegetables for his own consumption, but also for that of the rest of his corps and officers, thereby rendering them independent of the scanty supplies now supplied by the inhabitants of these little cultivated, but otherwise fertile as well as beautiful islands; and also prevent their being lodged in all sorts of low and unhealthy places in the towns, where they are liable to contract disease and bring it into barracks, as well as communicate it to the inhabitants. The officers in visiting their men so located are unnecessarily exposed to fatigue and infectious disease, which this arrangement would effectually provide against, and their surveillance over the married soldier would become effective, instead of being, as it now is, a mere mockery. I would also observe, that the duties should be so arranged as to afford the soldier time to cultivate his garden, which, if neglected, should be given to those who are more industrious. I need scarcely add, that much useful time is consumed by the nature and character of the present dress of the British soldier, which might be rendered much more simple and less expensive; for instance, a flannel fatigue jacket to come well over the loins, which could be washed, and material of texture for trousers, coloured (if preferred, as in the French army). The cap should be covered with white cotton; and his shoes a part of the year made of canvas.

Cooling beverages, such as lemonade, ginger beer, &c., should be supplied to the men on guard especially, and every means tried to keep them from indulging in spirituous liquors, which is the very bane of this colony. Skittle-grounds might be made in the ditches of the forts with a temporary covering; and ball courts not only made, but kept in repair.

(signed) *J. W. Parratt*, Surgeon, "O. M. D.,"
Principal Medical Officer.

No. 14.

Answers of *J. H. Ker Innes*, Esq., Surgeon, 56th Regiment.

Answers of J. H. Ker Innes, Esq.

1 and 2. In answer to the first two questions I have to state that, for the past 12 years, my duties as medical officer to Her Majesty's forces have carried me to India, to Sindh, and the shores of the Persian Gulf, and that during this period I have also been quartered in England, Ireland, and Scotland. Abroad I have witnessed several attacks of epidemic cholera, as well as a fearful epidemic in the 78th Highlanders in upper Sindh, 765 souls in this regiment having perished from remittent fever and dysentery in the course of three months; and in Ireland I had also every opportunity of observing the epidemic of typhus and dysentery which followed the famine of 1848. However painful such

such experience may have been, it cannot but be a source of gratification to me that I am, on this account, better able, perhaps, to form juster opinions on the subject of the late visitation, during the whole of which my position necessitated my taking a very active part.

I will, with this preface, at once proceed to sketch, as succinctly as possible, a few of the more important events of its early history.

Fort Cunningham, removed about a quarter of a mile from the Royal Barracks at St. George's, is situated on an island divided from its neighbour by a narrow arm of the sea; it forms nearly the easternmost extremity of the groups, and its characters of soil and vegetation differ but little from those of the rest. In the centre of the island is a pond of salt water; its greatest rise at the spring tides never exceeding six inches, stagnant, loaded with organic matter, and in still states of the atmosphere emitting effluvia of a very offensive nature. About 20 feet from its level, and 30 from its margin, rises an old dwelling-house, inhabited by privates Davis and Derring, 56th Regiment, whose occupation is that of labourers on such portion of cultivated ground as the island contained. The wife and three children of the former of these men were also its inmates; the rooms are spacious, but the timber and flooring much out of repair. Embowered in trees, its quaint architecture seemed intended still more to favour a complete shelter from the ocean blasts.

In this house then, on the 13th of August, the woman was seized with rigours; for two days previously she had been complaining, but did not call for medical aid; headache was severe, the stomach irritable, the vomited fluid green and bilious, and constipation of the bowels obstinate; as her disease progressed, the remissions, which were at first well pronounced, became less distinct, the conjunctiva assumed a yellow hue, the matters ejected from the stomach throughout retained their bilious character, and the alvine secretions were also tinged with dark bile; coma supervened, and she died on the seventh day of her attack. It is much to be regretted that no autopsy was permitted, as the body had, at this period, assumed a yellow hue. The case was attended throughout by assistant surgeon Deeble, and before its fatal termination by myself also; on its nature I imagined that we were both agreed, and that it was one of the ordinary bilious remittent, identical in type with the many instances of this disease which it had been my lot to witness in Eastern practice.

At an after period, however, in the course of a casual conversation among strangers, assistant surgeon Deeble seemed to have pronounced it as partaking of all the characters of the true hæmigastric pestilence; and on this opinion reaching the ears of the acting Governor, I was at once interrogated on the subject. In adhering to my former opinion, I attempted in my reply to show that simple yellowness of the surface, so ordinarily a concomitant of these fevers, could not alone be taken as a diagnostic sign of the more malignant disease, in the absence of the characteristic vomit and of its allied hemorrhagic tendencies. On the 28th August private Davis, his son, and private Derring, all occupants of the same house, were admitted to the regimental hospital with adynamic remittent fever. Short abstracts of these cases from the regimental records are to be found, Appendix No. 1, from which it will be seen that yellowness of the surface did not amongst any one of them show itself, and that they all recovered.

Not appended, as being too strictly professional; they will be laid before the Medical Board.

The troops at Fort Cunningham consisted of a detachment of 23 men and one officer. The barrack-room ordinarily occupied by them was under repair, and for five days previous to the attack of Mrs. Davis they had been encamped on an elevated mound without the walls of the fort. On the 1st of September two of these men were admitted to hospital with similar symptoms to those already described, and on the 3d two more cases made their appearance. It will presently be seen that several men in the Royal Barracks at the same time began to suffer, but the number of admissions from Fort Cunningham being somewhat in excess comparatively to their strength, they were ordered to remove the encampment on the 4th of September, and accordingly became located at Ferry Point, from which place several of their number were afterwards admitted to hospital suffering from severe forms of the disease.

We must now retrace our steps to the date preceding the one on which we commenced our history, viz., the 12th of August. On this day a convict on board the hulk "Thames," Robert Hall by name was, simultaneously with Mrs. Davis,

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attacked by the disease. I need not for a moment dwell on the complete impossibility which existed of any communication between these two parties. The convict died four days afterwards. A second was attacked on the 18th, and his case proved fatal on the 27th August, with, I believe, very unequivocal symptoms of black vomit; this, however, was a fact that only subsequently transpired. I may here allude to what must hereafter be more fully described, the situation of this hulk. Grounded for years in a bank of mud, at a corner of the harbour remote from any influence of tide or current, beneath a shelf of sandy rock which radiated from its south-western aspect the concentrated solar influence, and protected by it from the northerly and easterly breezes, ingenuity could hardly have devised a situation more calculated to bring into being and foster every morbific agency. This cradle of disease was visited, on the 20th August, by one of those furious storms to which the Bermudas are occasionally subject; a strong southerly wind had been blowing throughout the night of the 19th, with a thermometer at 80° Fahrenheit, barometer 29°,83, and with a high degree of atmospheric saturation; no electric disturbance was observed. Early on the following morning the wind veered round somewhat to the west, and underwent a steady increase, attaining its maximum about three P.M., when its pressure was nearly 24 pounds. Under this weight the hulk was endangered by the parting of her principal mooring chains; her crew of convicts were, during the day, much exposed and fatigued in necessary exertions to repair the injury. On the 21st the gale had lessened, but its violence had everywhere blasted vegetation, and having shifted this day still more to the westward, a current of air was borne direct from the ship to the officers' quarters in the Royal Barracks, and the nauseous stench from the disturbed mud, in which she was imbedded, will never be forgotten by the many who were present in the verandah. Soon afterwards the tank-water, from which this end of the barrack was supplied, became putrid and unfit even for purposes of ablution; the tanks in rear of the men's barracks did not, however, partake of the infection. This state of the water may be accounted for. A group of Pride of India trees, of luxuriant umbrage, shaded the first-named quarters, and their foliage, destroyed by the gale, was blown over the roof of the building, which they protected, and washed by the subsequent rain into the reservoirs, where rapid decomposition took place; the mortality which followed in the servants' quarters, situated immediately above these tanks, may, I think, in part be attributed to this cause.

The death of the convict, on the 27th of August, was soon followed by other casualties, and from this date the disease on board the fated hulk assumed a malignancy only equalled by the rapidity of its onward spread. By the 12th September her upper decks were one vast lazar house, where disease and death in their most loathsome forms seemed struggling for mastery over forms that a few short days before were revelling in health. The livid face smirched by the inky fluid that fountained from the mouth, the cracked and blistered surface from whose fissures the life-blood was welling up, the agonised groans of the few, and, hardly less painful to witness, the stolid indifference of the many, formed a picture which seems, in the retrospect, the fruit of some distempered dream.

On the morning of the 31st August four fresh cases presented themselves in the 56th regiment; Franks, an officer's batman from the range of servants' quarters; Taylor, from No. 6 barrack-room; Potter, from the band-room; and, in the evening, another man from No. 6 was brought to hospital, in a state of maniacal excitement so violent that it was only subdued after copious venesection; of these the second only died, and this on the fifth day of the attack.

A minute examination of the barracks, as well as a daily health inspection of the men, was at once organised; and Mr. Farr, the senior medical officer in the command, consulted as to the propriety of encamping the troops, but the disease at that time appeared so limited in its extent, and so comparatively mild in character, that, misled by its insidious onset, we considered that we should not be justified in recommending a step which, by the panic it would create, the additional exposure of the men at a damp season, and expenses it would necessarily incur, did not then seem urgently to be called for. The 1st September brought with it four new cases in the 56th, two in the Ordnance corps, and several of the wives of the soldiers living in the densely crowded and filthy alleys of the town were seized with the disease. The earliest of these cases was that of Mrs. Ashley, the wife of a soldier of the 56th regiment, inhabiting a detached building on the summit of the cliff overhanging the "Thames," and hers was the

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* Not printed.

the first pronounced instance of black vomit. The adjoining house was the one next attacked, and, like radii from a circle, of which the ship was the centre, the malignant epidemic spread (*See* Map, Appendix 2).* On the evening of the 2d September all the families of the soldiers (56th) were, with much murmuring, removed from the town to a large plain in rear of the barracks, and dividing them from the hospital, the ground dry, and so scantily alluvial as hardly to afford holding for the tent pegs; its aspect northerly, and flanked towards the east by a cedar grove. (*See* Map.) Some heavy storms, soon after the camp had been formed, perhaps acted as a stimulus to the disease, and its fatal character expanded here at an early period. On the 5th September the Regimental Hospital was relieved of its convalescents, who joined the Ferry detachment, now constituted into a depôt for this purpose. Some fresh attacks of fever continued to arrive from this station.

The accompanying table (No. 1.) will show that the succeeding cases, up to the 9th instant, were numerically few and insidiously mild, attended with but little outward sign, or by inflammatory fever; the fell poison, unseen, was hollowing out the vital centres; stealthily it crept onward till the dreaded black vomit threw its pall over the scene. On the night of this last-mentioned day, wearied out by active exertions, with one assistant already prostrated by the destroyer, I retired to rest; summons after summons came to the bedsides of the freshly attacked, and when I again sought my pillow the loud hammer of the carpenter, preparing for the yet living the narrow tenements of the dead, chased away all power of sleep; we had been at once overtaken by, and were in the midst of, a direful epidemic.

Immediate retreat became necessary; the tents, which we had been assured were sufficient to supply 1,200 men, were found inadequate to the accommodation of a fourth of this number. A Sunday intervened, and Monday came with storms and rain. Tuesday, the 13th, broke dismally over St. George's, but by eight A.M. there was a temporary clearance, the barracks were evacuated, and the only troops left there were the occupants of the forts, which had not been attacked, and the sappers, who were about to follow our example elsewhere. The measure had been too long delayed, however, to bring with it all the advantages which would have occurred had it been earlier adopted; the exposure and slight fatigue of the march, acting on frames already predisposed to the disease, gave it a greater impulse, and 14 men, principally stragglers on the line of march, were returned to the Regimental Hospital; very many to die. An easy communication by water existed between this building and the main body of the regiment at Ferry Point; this establishment was retained in St. George's, as there were neither buildings nor tentage available for its removal elsewhere. The disease now spread with fearful rapidity. Most of the Europeans who had remained in the fated town were attacked, and the numbers in hospital, by constant increment from Ferry Point, were much in excess of the accommodation; the lower verandahs were, at one side of the building, enclosed for the sick by sails, and the large military chapel was soon filled by what appeared to be the less severe forms of the complaint. Colonel Phillpotts, the acting Governor, had succumbed to the disease, and both the officers who succeeded him in the command were almost immediately prostrated by it, numbers of the European families in the town were dying, and the atmosphere of the hospitals so became centres of infection that none could enter their chambers with impunity.* All these circumstances so clearly pointed to the great advisability of sweeping away the entire hospital establishment to another part of the island, that it became necessary, in the teeth of the most formidable difficulties, to make the attempt. Deputy Medical Inspector Hilditch, of the navy, agreed to receive 35 sick in the Naval Hospital at Ireland, and I determined to place the remainder in the buildings at Port's Island, above 15 miles away, in charge of Dr. Frederick Hunter, a civil practitioner attached to the forces.

With

* Of four European medical officers doing duty in St. George's, three were attacked by the disease and one died; of three native Islanders, one was attacked and a second became jaundiced Of nine orderlies doing duty in the hospital, six were attacked and three died. Of the Fort Victoria detachment, 88 in number, who supplied parties in and about the hospital, and dug graves and assisted in burying the dead, 64 were attacked and 34 died, including an officer; there were 56 men, besides 18 artillery men, of whom 10 died.

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With inefficient transport, without officers military or medical, and companies disorganized by illness and death, 100 sick and dying men had to be removed to a long distance. Notwithstanding the accidental delays in carrying these measures into effect, and the consequently increased mortality, I cannot on the retrospect but wonder at the regularity and comparative ease of their exodus. The Kite steamer, with an open launch in tow, was ordered to embark the disabled soldiers at the nearest point to the hospital, but no communication was permitted between the launch and the vessel; she made her appearance in the afternoon of the 25th September, but in consequence of stress of weather, the sick could not without extreme risk be exposed to its influence in so unprotected a manner. As her orders did not permit her remaining, she went back to Ireland Island, and a delay of some days took place before she attempted to return; eventually her superannuated machinery refused to perform its office, and we were thrown back for the means of transport on the small cutters, which form the ordinary channel of communication. Litters for the sufferers were constructed, and their journey of a mile from the wharf was thus accomplished; the winds were light, and the voyage consequently long, but the move was attended with benefit so signal, that of 35 men selected as subjects requiring the most assiduous care on account of their precarious condition, and sent to the naval hospital, but eight subsequently died; those whose state offered no chance of amendment were not removed from St. George's; on the day following, the remainder were sent to the station prepared for them at Port's Island. The Ordnance Hospital was next evacuated, and placed at Prospect Hill, in charge of Dr. P. Tucker, another civil practitioner, and the removal was attended with equal benefit. The last-named building was retained as a temporary recipient for any fresh cases which might occur amongst the remaining garrison now almost entirely removed, and these as they collected were shipped off to the various appointed detachments, where provision had been made for their reception.

Such is a brief sketch of the September epidemic amongst the troops which, as we have seen, was confined almost entirely to the town and island of St. George's, but those quartered at Ireland did not entirely escape, and so early as the 1st of the month a man was admitted (corporal Sharratt) with remittent fever; his case terminated favourably. It was soon followed by others, which during the month continued to make their appearance. The type of the disease was less deadly, and more readily amenable to treatment. At Hamilton, where a single company of the 56th regiment was stationed, two cases of fever showed themselves about the 20th of September, and a third soon after; a man who had clearly contracted the disease in St. George's. The company were at once removed to the country, and placed in a hired building, and only 14 or 15 cases subsequently occurred.

The convicts at this end of the island were less fortunate in their exemption, five cases were observed on board the "Medway" hulk before the end of August, the number greatly increased in the following month, and was attended with considerable mortality; in October this attained its maximum, and by the end of December one-third of the entire number of those on board had been attacked, with a loss of upwards of 40 souls.

6. After a careful examination of all the evidence in favour of its importation, I think that it has signally failed in bringing forward anything that can throw a suspicion on its domestic origin. A zymotic principle appears to have been present in the atmosphere from the very commencement of the year, showing itself first in sporadic cases of yellow fever, afterwards in epidemic hooping cough, amongst the inhabitants, and in cholera, dysentery, and diarrhœa amongst the convicts, and eventually, when the season favoured it, in remittent fever, which has in Bermuda been peculiarly the disease of autumn.

8, 9. On the question of its communicability opinions are much divided, but I do not think that we have witnessed anything sufficiently decisive amongst all the disclosures of the late epidemic materially to modify the conclusions at which the scientific world has elsewhere arrived. It can hardly, I think, be doubted, that in common with many other forms of fever, it does possess a limited amount of communicability, the grade of which is determined by the varying conditions of atmosphere, of locality, and of the individual. That the poison moreover emanating from the bodies of the diseased, may by their congregation generate an atmosphere specially infectious, although by segregation it may become so diluted

diluted as to be deprived of its active power; there seems also much reason to believe that it may be communicated through the medium of fomites.

At the same time, although the cases favouring this view afford strong presumptive proofs of the communicability of the disease, a very ordinary amount of ingenuity may devise explanations which would refer its effects to the influence of local rather than of personal causes; so many negative proofs may also be adduced opposed to the doctrine of contagion, as clearly to show that this property of the disease has in the hands of many been much exaggerated; nevertheless, after giving to all evidence and argument its due weight, the conviction is forced upon us that we should not be warranted, in the present state of our knowledge, in abandoning a system of quarantine, a precaution founded on and guided by the principles of good sense.

10. The close analogy between the spread of epidemic diseases and the principles which regulate fermentation has long been a source of remark, and given origin to the word zymotic. The presence of this influence here, the beginning of the year, has already been referred to. When such constitution of causes exists, I believe that an impulse and direction may be given to them from without, and the type of disease be determined or modified by inoculation; but we have no evidence to prove that this condition of atmosphere and locality can be imported; thus the malignant character of the late epidemic in St. George's seem derivable from the intense gaol fever which was elaborated on board of the "Thames" hulk. It seems, too, highly probable that the much vexed question of the alleged introduction of the Boa Vista fever, by the "Eclair," was a case of this sort.

I believe, further, that in every case in which an epidemic has appeared, it will be found to have given ample notice of its approach, in the shape either of sporadic cases of milder character, or in a modification of the forms of the existing disease. In 1843 it was ushered in by a great prevalence of diarrhœa in the Rifles and 20th Regiment; a similar occurrence took place this year amongst the convicts. Colonel Tulloch, in his special report, remarks, after enumerating the epidemic prevalence of typhus in the town on several occasions between 1838 and 1846, "that, on these occasions, the disease was preceded by a general prevalence of diarrhœa amongst the men." In the years 1847 and 1848 the approach of cholera was telegraphed to every European city in which it occurred, by the prevalence of influenza, typhus, or others of the same category.

See reports on sickness and mortality in Bermuda. Diarrhœa was extensively prevalent in 1842 amongst the troops.

11. Without doubt whenever passengers, emigrants, and others are, owing to stormy weather, much confined to the berths below, some form of malignant disease is sure to make its appearance, and its nature will be determined by locality and by atmospheric conditions; yellow fever, if in the west, and cholera or bilious remittent in the east. In the "San Francisco" steamer, a few weeks since, cholera made its appearance, as a result of exposure to cold and wet, and the use of improper diet, and no one would search for a distinct seminium of this disease, unconnected with these directly exciting causes. In 1779 a gaol fever broke out in the King's Prison, in Bermuda, the result of filth and overcrowding, while conditions most favourable to its spread existed; an epidemic was the result, which proved very fatal in the veteran battalion quartered in St. George's. At Medina Sidonia, 30 miles distant inland from the Spanish coast, a similar instance occurred, and yellow fever raged there, when no other town, either on the sea port, or the interior, was affected.

12. The ration of the soldier consists of 7 lbs. of bread, 5 lbs. of fresh beef, and 2 lbs. of salt pork weekly; 3*d.* per diem is expended in tea, sugar, and vegetables; about as much, on the old "half crown out of sixpence" principle, on rum; the morning dram, by far the more injurious than the rest, is taken, I believe, in every eight out of ten cases.

The cubic space allotted to each varies, at St. George's, from 377 to 409 feet; and at Ireland, from 288 to 380. The ventilation at the latter place is, however, more perfect, and the barracks better constructed.

No system of barrack accommodation, however, can be other than faulty in a tropical climate (unless habitually swept by trade winds,) which does not afford at least from 700 to 800 per man, and is moreover furnished with means of artificial ventilation.

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13. Without question, we have seen the disease to be peculiarly that of the unacclimatized European; we have seen it by preference attack the healthy and plethoric, and tell on them with an effect deadly in proportion to their previous immunity from disease. Some interesting facts have been developed in connexion with these points. 1st. As to acclimatization: it has been clearly demonstrated that the quantity of animal heat generated is less in summer than in winter, and that this becomes a physiological condition which when once established, it is a work of time to undo; hence we find that it is during the transit from one season to another that the system is most obnoxious to disease; that a winter constitution, not immediately yielding to altered conditions of temperature, generates ailments which are of asthenic and inflammatory character; that, as the season advances, the vigour of the system declines, less animal heat needs to be developed, a lighter tax is imposed on the vital powers, and that its pathological characters are asthenic or depressing. While these changes are clearly indicated in our native climate they are thrown into bolder relief on removal to a tropical one, and hence the temperature of the unacclimated European ranges for a long period; according to Dr. M'Kettrick, between three and four degrees above that of the seasoned inhabitant;* the pulse is more rapid and bounding, and a state of plethora generated, itself eminently a predisponent to disease. In winter the appetite is more vigorous, and highly azotized food most congenial to the wants and expenditure of the system; as summer approaches, fruits and vegetables, offered more abundantly by nature, are equally called for by the instinct. Thus, too, we see, that while the Esquimaux or the Laplander delights in fats and glutinous food, the diet of the Indian consists almost purely of rice and vegetables. The application of these remarks is easy; the European soldier enters a climate warmer than the one he has been accustomed to, in a condition to generate a larger amount of heat than is required by nature; the tendency is still further encouraged by a stimulating diet, which, however requisite for his well-being under other circumstances, becomes now positively injurious; the blood, increased in volume, is vitiated by the presence of unassimilated chyle; the stomach and viscera lose that balance of energy which constitutes health, and are unable to elaborate the food which is pressed upon them; a provision passing wise, because the growing evil is thereby held in check; diarrhœa, perhaps, supervenes; an effort of nature to relieve herself of the undigested food, or vitiated secretion, or the state of plethora established, bursts into flame as fever, whereby a temporary suspension of nutrition is effected, and the wanted equilibrium restored. This view receives ample confirmation from the statistical reports of the sickness amongst the African troops in the West Indies: "We are informed," says Dr. Armstrong, in quoting from this source, "that there is no country, either temperate or tropical, in which the mortality among the indigenous civil inhabitant, between the ages of 20 and 40, seems materially to exceed 15 per thousand annually, yet, among the black troops and pioneers, 40 have died out of every thousand annually, so that the rate of mortality is at least thrice as high among this description of troops as in the native army of the East Indies. Farther, the same liability to a high rate of mortality seems to affect negro troops in almost every quarter of the globe where they have been employed; even at Sierra Leone, on the east coast of their own continent, the mortality has averaged not less than 28 per thousand annually, being about double the ordinary rate among other troops serving in their native country."

"The black troops and pioneers in the West Indies consist of free blacks, generally more intelligent than the ordinary negroes, as they are natives of the country, and consequently assimilated. They cannot be supposed to possess any peculiarity of constitution which renders them obnoxious to the climate; and more especially as it is similar to that in which their parents or progenitors had their origin; as the great mortality is also observed among the native troops on the coast of Africa, some other cause must exist besides climate alone.".

Let

* I doubt if this estimate be not too high as an average; it does exist, and its influence as a predisposing cause of fever is clearly shown in the fact. Pregnant women, the temperature of whose bodies is invariably in excess of the standard of health, are peculiarly liable to the febrile attack, and this in its most aggravated form.

Let us observe the circumstances under which they are placed: among the blacks, in the West Indies, the quantity of animal food consumed is much less than the ration of a European soldier, yet, when these men enlist, they are at, once placed upon a highly nutritious diet, to which they have never been accustomed, and which the wants of the system do not require; plethora is the consequence, and a greater liability to disease. With the native troops in India the case is different; here religion interposes a barrier against an indulgence in animal food and strong drink. The rations of the native troops are different from those of the European soldier, yet it is more nutritious than that of the great majority of their countrymen in civil life, and by inducing plethora may operate as the cause of the increased rate of mortality amongst them. The habitual intemperance of a soldier's life is another of these causes which, taken singly, would alone predispose him to disease; and this fact appears so self-evident that I should not longer dwell upon it, had there not existed an idea that temperate men usually suffer in no disproportionate degree with those of more dissipated habits. We must, however, recollect that many so called temperate men amongst the soldiery would, in private life, be almost considered drunkards of the first water, and that the morning dram is to some of them a necessary of life.* During the late epidemic I do not hesitate to affirm that at least one-third of the cases of febrile attack had for their exciting cause that bane of the soldier, drink. In enumerating the predisposing causes of disease in this class of the community, idleness should have a prominent place. We cleanse our sewers, and talk of cubic space for the lungs, but we allow no expansion for the mind. The occupation of the soldier is drudgery; of amusements he has none; his physical condition can only be improved by elevating him morally; establish reading-rooms, and let their shelves rather contain the lighter literature of the day than be encumbered with the more solid tomes, that are only attractive to the well-formed taste; give him out-door amusements, and by rendering him happier, punishment, when deserved, becomes the more galling from contrast. Another cause of disease may be found in the unavoidable exposure of the soldier to nocturnal influences, often when under the depressing effects of previous excesses. I believe that much of the mischief attributable to this cause might be avoided by allowing all men on sentry to smoke.

17. The town of St. George's, numbering about 250 houses, containing a population, besides its garrison, of 1,600 souls, is situated in the broadest part of the island of that name; it rests in a semi-circular valley which faces the harbour; the soil is composed of the same friable coral rag which elsewhere forms the basis of the group, covered to the varying depth of some feet with rich alluvial deposit; a considerable portion of it was evidently in former times submerged; in the lowest portion of the town brackish water may be obtained at a depth of six feet from the surface; an easy slope of about 40 acres is thus covered with scattered buildings, to most of which plots of garden ground are attached. The streets are narrow, the alleys numerous, and many of them filthy and crowded; the material of which the structures are formed, is in the same rock above spoken of; in its fresh state it is saturated with saline matter, and on this account absorbs and retains water; the roofing, too, from the same cause, is seldom water-tight; drainage and cesspools are almost unknown; the deep pits which form the receptacles of ordure, are so continually percolated by salt water, that little sensible inconvenience arises from them, and nightmen meet with but slender encouragement; all the interments are intramural, the burial grounds occupy a very central position; the harbour is completely land-locked, and hence the influence of the tide is rather to collect than to remove effete matters; the gradual filling up of the channel between Ordnance Island and the town is an example of this process.

The situation of the barracks and forts is indicated in the annexed map;* the following was the distribution of the force on the 1st of August 1853. The sites of all are well chosen, the general hospital a five-storied building, airy, at a proper distance from the barracks, and although not capable of comfortably containing

* Not printed.

Distribution appended.

* Sir Robert Sale, in his despatches, notices the complete immunity from disease which his besieged army at Jellalabad enjoyed, although their food was scanty and their exposure to hardship great; he attributed it entirely to the impossibility of stimulating drinks being procurable in camp.

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containing more than 60 beds, is well arranged. The barracks themselves are of the following dimensions.*

They consist of but one basement, and are raised from two to four feet above the surrounding level. The principal quarter of the artillery is in Fort Victoria; the sappers occupy temporary buildings of wood to the westward, and the married families have very comfortable and clean dwellings in the neighbourhood; the women appear a much more respectable class than the corresponding wives of the 56th regiment, who chiefly lived in the town in a state of great filth and wretchedness; the proportional mortality of these latter was as four to one.

19. The town of St. George's figures in the first authentic history of epidemic visitation, and from that period to the present one, it has always been a focus in which such agencies, if they did not originate, eventually attained their acmé of virulence. While the aggregation of unacclimatised individuals may be a principal reason for such fatality, the situation of the town itself is calculated to attract and foster any germ which has once become disseminated. However faultless the simple construction of barracks might be, the proximity of so undesirable a neighbour would always be a source of mischief.

The following table is extracted from Colonel Tulloch's reports, showing the comparative mortality, and the number of cases occurring at the three points occupied by troops in the fever of 1843.

	Ratio per 1,000 of Strength.	
	CASES.	DEATHS.
Saint George's	831	184·2
Hamilton	436	39·4
Ireland	505	36·8
	655	113·4

"Thus it appears," adds Colonel T., "that above one-sixth of the troops serving at St. George's were cut off, while at Hamilton the loss was only 1 in 25, and at Ireland 1 in 27 of the strength.

The following Table expresses the MORTALITY in 1818–19.

Naval Hospital, Ireland Island.

1818.

Quality, and from whence Received.	No. of Cases.	Cured.	Died.	Ratio of Mortality.
Her Majesty's Ships and Vessels	6	3	3	1 in 2
Naval Yard	81	61	20	1 in 4
Soldiers	18	13	5	1 in 3·6
TOTALS	105	77	28	1 in 3·8

* Two end rooms, 24 feet 8 inches by 40 feet 9 inches; centre, 24 feet 8 inches by 41 feet. Height from floor to eave, 10 feet. Average cubic space per man, 392 feet. Sappers temporary barracks, 420 feet.

1819.

Her Majesty's Ships and Vessels	20	14	6	1 in 3·3
Naval Yard	66	49	17	1 in 3·9
Hospital Servants	2	2	—	—
Transports, &c.	6	4	2	1 in 3
Soldiers	12	12	—	—
Totals	106	81	25	1 in 42

At St. George's the Number of Deaths, as published in 1819, is as follows:

Inhabitants of St. George's, including natives, Europeans, and Americans	43
Seamen	42
Royal Engineer Department	1
Sappers and Miners	21
Women and Children	5
Royal Artillery	5
Women and Children	4
15th Regiment: 63 Men, 11 Women, 14 Children	88
Total	213

The epidemic made its appearance here in August.

25. The position of these islands is within what has been called the Yellow Fever Zone, and there can be but little doubt that they contain within them all the elements necessary for its production. Amongst the troops, however, sporadic cases have been very rare; the tables of Colonel Tulloch afford some valuable information on this point; to which I would invite the attention of the Commission. I have added a table of this class of disease, which brings the date up to the year 1852.

At the same time it will be observed from his remarks, that fevers of the continued type have been the cause of one-half, and diseases of the lungs of one of the entire mortality amongst the troops stationed here.

The hygrometric state of the atmosphere, as affecting the carrying power of the wind, cannot be doubted; and when an accumulation of electric fluid near the surface of the earth is superadded, the development of morbific miasms is probably still more favoured. Although the climate in which we live is essentially a moist one at all times, I am unable to trace any appreciable difference between the registers for 1852 and 1853; indeed, if there be any, it would rather point to an excess of saturation in the former year.

29. The plethoric and healthy seem to have suffered in greater proportion than the spare or sickly; the almost complete immunity enjoyed by the native population, especially the coloured, is in character with the previous experience of epidemics in these islands. A remarkable fact, which well illustrates the effect of acclimatization is mentioned by Dr. Browne, in recording the Sierra Leone epidemic in 1837 and 1838; he says, that "almost every apprehension of yellow fever had ceased when, without any assignable cause, it broke out with as much virulence as during the most unhealthy epoch of the colony;" it seems "also, it was exclusively the disease of the European, because during the whole of this dreadful mortality a detachment of from 40 to 50 black soldiers, of the 2d W. I. Regiment lost only one man, and I had seldom any in hospital; but the returns from the West Indies show that the African is, when absent there, more liable to attacks of fever than in his native land, and his rate of mortality is two, three, or even five times as great in some of these islands as in others."

31. The poison which propagates it seems rather to be truly zymotic than actually contagious. I look on the predisposition engendered by an epidemic

Appendix.

Answers of J. H. Ker Innes, Esq.

state of atmosphere as one of the conditions essential for its spread; the emanations from the dead body would undoubtedly, under these circumstances, exert a noxious influence, which would be increased should decomposition have commenced; but I do not think that the mere question of contact would carry with it much importance. It is not unreasonable to suppose that articles liable to retain animal effluvia are capable, too, of conveying the disease; without exception, during the early part of the epidemic, all such men as were employed in remaking hair beds which had been used by fever patients, became affected very soon afterwards with the disease, the premonitory nausea seizing many of them whilst so employed; and one of the most fatal employments amongst the soldiery during the epidemic, was digging graves after the cemetery had become saturated with animal matter.

32. Yellow fever, perhaps, more than any other disease of its class, has shown itself, independent of such causes; undoubtedly where they exist the fermenting principle is assisted by their agency in its work of desolation, and is even attracted by them; in Bermuda its ground has not been chosen with any partiality for marshy situations, they seem, as well in epidemic as in ordinary periods, to exert so perceptible an influence on the sanitary condition of the population. Dr. Fergusson has recorded the fact, that in climates subject to putrid fevers a sandy soil is as frequently productive of a malarious state as a marshy one; and, without attempting to explain it, instances the Alemtago and Algarve of Portugal, regions almost exclusively sandy, and the most prolific of fever of any in the Peninsula. Such is also found to be the case in Egypt, Asia Minor, Persia, and Sindh; at the foot of the Bolan Pass, Dadur is entirely sandy, and free from any sources of palludial exhalations, and yet is productive of one of the most virulent of putrid fevers.

The marshy Honduras, and the dry Vera Cruz, equally enjoy a comparative immunity from the disease, while Rio Janeiro, where there are but few marshes, is very subject to it; Barbadoes, too, is said to be as liable to such attacks since its extreme state of cultivation, as formerly, when the lands were undrained, and lying waste.

I think that all evidence goes to prove that a toxeemic agent is generated in the surrounding medium possessing highly septic properties, but whose production is not necessarily connected with sources of decomposition; that where these exist, whether they have their origin in a palludial, or simply a telluric source, or equally, whether generated by the animal exhalations of aggregated masses, they serve as points of attraction where a reproductive fermentation is called into being.

When fever prevailed to a frightful extent amongst the troops in Upper Scindh, I have often at night been exposed with impunity for hours, whilst wild-fowl shooting, at what are considered the most concentrated sources of the poison, whose effects, even when infinitely diffused, were supposed to be deadly; the neighbourhood of such situations remained free from any disease; the troops who marched over them, and daily encamped there, continued in the enjoyment of health; it was only when the epidemic influence prevailing on the rock of Sukhur was encountered that every drain, and cesspool, or room, abounding in exhalations from the living body became impregnated with its poisonous property.

33. Amusement, instruction, gymnastics, cleanliness of person, sufficient ventilation, and segregation during the season of autumn, by the occupation of camps, interchanging their inmates frequently, by the establishment of barracks at a distance from any town in which anything approaching overcrowding should be sedulously avoided. By the return of the equitable insurance companies in England, it appears that out of 4,095 fatal disease happening amongst the better classes, 489 only result from zymotic diseases, or about 12 per cent.; which is less by one half than the mortality from this class of diseases in the metropolis generally. Who, after such evidence, would argue that the whole of this family of diseases are not under the control of man, and by him preventable?

34 and 35. On the removal of the force to Ferry Camp an immediate increase of sickness and mortality was observed, exposure probably acting unfavorably on those whose systems had already become infected with the poison. For eight days the number of admissions to hospital was in excess of that before its locality had been altered; if, instead of canvas, the troops had been removed to buildings, which would have afforded more efficient protection, I think that the change

change would have been more favourable; had none taken place I believe that, from the intense localisation of the ferment at St. George's at an after period, that two-thirds of their number would have fallen victims to it.

But few new cases presented themselves after the first week in October, at Ferry Camp.

At Prospect Hill only 53 cases appeared after removal, several of these were importations from St. George's; 20 of their number died.

At the Naval Hospital at Ireland, whither 33 of our worst cases amongst the sick were sent, eight of the number only died; an immediate and most signal change for the better having at once followed their removal.

At Port's Island the strength, exclusive of hospital patients, never reached 40 men, and 13 fresh cases originated in this locality, of which eight died; there is reason to suspect, however, that two of these might have been imported.

At Bluck's Point 16 cases occurred after removal from the barracks they occupied in Hamilton; five of these died, but the end of two of them was hastened by previous debauchery and exposure in some of the low houses of the suburb.

At Tucker's Island there were but three very slight instances of its appearance, which is partly attributable to the difficulty with which the men could obtain liquor, and partly to their being a detachment from Ireland Island, the garrison of which was comparatively healthy.

36. The only rational explanation which seems to offer itself is, that Bermuda, in common with other islands in the same latitude, is situated on the northerly edge of the yellow fever zone; and while ordinarily enjoying much immunity from fever disease it only becomes subject to such epidemic attacks in the autumnal months, when the febrile tendency is at its maximum, and only then, when concurrent causes, rarely happening, conspire to excite it.

37. *See* "Royal Gazette."

38. That the garrison of the forts at the east end of the island occupy the Royal barracks at St. George's, having, within the forts themselves, only a sufficiency of men for their safe custody; that the wooden barracks of the sappers should be vacated, and a portion of the Royal barracks be at once assigned to them.

Besides the erection of permanent quarters for the men in a central situation, and at a distance from any of the townships, I would have, attached to the signal stations, houses, on the model of those at Port's Island, capable of accommodating each a company; or, if it were thought advisable, one on Tucker's Island or Castle Island; that but few men should ordinarily occupy them, but that always, in the autumn season, they should be garrisoned by parties who should frequently interchange their locality, thus relieving the central barracks of at least one-half of its population during this period of the year.

(signed) *J. H. Ker Innes,*
Surgeon 56th Regiment.

Surgeon Innes states, "I remember the arrival of the Spanish war steamer, 'Blusco-de-Garay,' at Bermuda, in August last. I was acquainted with several of the officers of that ship, and was frequently on board. I went all over the ship, and especially visited the sick bay, in company of the surgeon of the ship; there were no fever patients on board, that I saw. Before going on board I inquired of the surgeon whether he had any cases of fever on board, and he assured me there were none; nor did the sick I saw appear to be labouring under fever. When I visited the sick bay assistant surgeon Deeble was not with us, but I know he visited the bay on another day. During the stay of this ship at Bermuda I was frequently in company with her officers, both on shore and on board, and nothing ever occurred to lead me to believe that the epidemic ever could be attributed to her arrival.

Question 20.—Distribution of the Troops serving in the Bermudas.

STATIONS.	Commanding Officers at each Station.	Corps or Detachments Composing the Garrison at each Station.	EFFECTIVE STRENGTH.								
			Field Officers.	Captains.	Subalterns.	Staff.	Serjeants.	Trumpeters or Drummers.	Rank and File.		
									Rank and File.	Sick.	Total.
Saint George's	Lieut.-Col. Robe	Royal Artillery	1	1	2	1	3	1	89	6	95
	Colonel Phillpots	Royal Engineers	1	–	2	–	–	–	—	—	—
		Royal Sappers and Miners.	–	–	–	–	1	1	34	12	46
	Major Oakeley	56th Regiment	1	3	6	5	25	16	389	50	439
Hamilton	Captain Austin	56th Regiment	–	1	1	–	5	1	84	–	84
Ireland Island	Lieutenant Higgin	Royal Artillery	–	–	1	–	1	–	43	1	44
	Captain White	Royal Engineers	–	1	1	–	–	–	—	—	—
		Royal Sappers and Miners.	–	–	–	–	3	1	39	2	41
	Major Byles	56th Regiment	1	1	6	1	17	3	277	4	281
Fort Cunningham	Ensign Whitmore	Royal Artillery	–	–	–	–	–	–	3	–	3
		56th Regiment	–	–	1	–	1	–	24	–	24
Ferry Point	- - - -	56th Regiment	–	–	–	–	–	–	4	–	4
Prospect Hill	- - - -	Royal Sappers and Miners.	–	–	–	–	–	–	1	–	1
Hen Island	- - - -	Royal Artillery	–	–	–	–	–	–	1	–	1
Boaz Island	Lieutenant Cumming	56th Regiment	–	–	1	–	1	–	40	–	40
Fort George	Lieutenant Martley	Royal Artillery	–	–	–	–	–	–	3	–	3
		56th Regiment	–	–	1	–	3	1	46	–	46
	Prisoners	Royal Artillery	–	–	–	–	–	–	1	–	1
		56th Regiment	–	–	–	–	–	–	14	–	14
		Total	4	7	22	7	60	24	1,092	75	1,167

Bermuda, 1 September, 1853.

1853.

Abstract showing the state of the prevailing Disease of Yellow Fever in the 56th Regiment at St. George's, from the 28th of August to the 30th of September 1853.

DATE.	Daily Admitted into Hospital.	Number of Deaths.
August 28	2	–
„ 29	–	–
„ 30	–	–
„ 31	3	–
September 1	4	–
„ 2	1	–
„ 3	3	–
„ 4	6	2
„ 5	9	–
„ 6	8	1
„ 7	7	2
„ 8	5	–
„ 9	3	3
„ 10	7	–
„ 11	5	1
„ 12	10	–
„ 13	32	–
„ 14	14	5
„ 15	21	8
„ 16	27	5
„ 17	16	10
„ 18	10	10
„ 19	6	13
„ 20	12	9
„ 21	15	9
„ 22	8	10
„ 23	2	9
„ 24	6	9
„ 25	4	7
„ 26	4	3
„ 27	4	3
„ 28	–	–
„ 29	–	–
„ 30	11	1
Total	265	120

No. 15.

Answers of Assistant-Surgeon *Munro*.

1. I have been upwards of nine years in the army, and have served in England, the Cape of Good Hope, North America, and latterly in Bermuda.

2. I have been employed during three epidemic visitations, besides the late one in Bermuda, viz., dysentery at the Cape of Good Hope, cholera and small-pox in England.

3. On the 10th of October 1853, I took charge of the hospital at Prospect Hill, in which there were at that time 12 cases of yellow fever.

On the application of the officer commanding at Bermuda to the authorities at Halifax, for medical aid about the end of September last, I offered my services, and was sent down accordingly. I arrived on the 8th of October, and landed at Ireland Island, and on the following day was ordered to proceed at once to Prospect Hill, whither I went on the 10th.

4. Of the 12 cases mentioned under Question No. 3, four originated at St. George's, and were sent from thence to Prospect Hill; the other eight were taken ill within a few days after their arrival at Prospect. Four out of these 12 died, and one was a case of true black vomit. These eight men, I have no doubt, contracted the disease before their arrival at Prospect, and prior to their leaving St. George's.

5. I had charge of the hospital at Prospect Hill from the 10th of October to the 23d of December 1853, and treated in it 35 cases of genuine yellow fever. I have seen upwards of 30 more, but these were not under my own care; 11 of these 35 died.

6. The climate of Bermuda is almost tropical, and during the greater part of the year the atmosphere is loaded with moisture, there is little or no variety of temperature, and the prevailing winds are southerly and light; vegetable growth is rapid, and animal life extensive, consequently the decay of the former must be considerable, and the exuviæ and deposits of the latter abundant. The heat of, and moisture in the atmosphere therefore acting on this dead vegetable and animal matter, must produce effluvia or miasmata, which, however, if the winds be strong enough, may be driven from the surface; if, however, the atmosphere be still for any length of time, must remain on the surface, and produce effects according to their nature and quantity. The conditions acknowledged to be essential to the production of endemic fever are heat, moisture, and the evolution from the surface of malaria from either decaying animal and vegetable matter, or both. To a considerable extent these conditions must be present in Bermuda, and I am therefore of opinion that the disease originated in the islands. It was a fever of a low putrid type.

7. Unanswered.

8. I do consider the disease communicable. At Prospect Hill three of the attendants in the hospital were attacked by the disease, one of whom died; afterwards when I caused the attendants to sleep in tents, and only allowed them to be in the hospital when on duty, no others of them were attacked by the disease. The man who washed the hospital sheets was also attacked. Dr. Parratt contracted the disease immediately on his arrival in the islands. In October, a child living in a house near Prospect Hill was attacked by the disease (how communicated I do not know) and recovered; shortly after the father and mother of this child were seized with the disease, and both died; and at the same time three other inmates of the house were ill, and one of them died. All the medical officers of army and navy employed to any extent during the epidemic were ill except two. Besides these, there are other cases which prove the communicability of the disease. The man who lived in the private house was a soldier of the Royal Sappers and Miners, and his wife was an Englishwoman.

9. If yellow fever exists in any locality, no person is secure from its attack, and the disease may be conveyed to any locality predisposed for its reception by persons, clothes, bedding, &c., and communicated to individuals by their inhaling the air impregnated with emanations from such articles, and under certain circumstances; I believe it possible that the disease may be communicated by contact also.

10. I do not consider impossible, or even improbable, that yellow fever may

Appendix.

Answers of Assistant-Surgeon Munro.

have been imported, but do not think the statements with respect to the importation of the late epidemic here are satisfactorily proved.

11. Yes.

12. The soldier has three meals a day; breakfast at 8 A.M., consisting of bread and tea; dinner at 10 P.M., consisting of soup, vegetables, and one pound of fresh meat five days in the week, and on the other two days of vegetables, pea soup, and corned pork; the supper is taken at 5 P.M., and consists of bread and tea. An hospital is always provided for the treatment of sick soldiers, and an isolated building generally allowed for the purpose. In the barrack-room the soldier is entitled to a space of 450 cubic feet, and in hospital to 550. The healthy men at Prospect Hill occupied tents; the sick were treated in a stone building, affording ample accommodation for the number.

13. Besides the liability to disease which aggregation engenders, I think exposure during the night, and to the morning and evening air, at which times the atmosphere is loaded with vapour and miasmata, particularly in tropical climates, renders the soldier more liable to disease than other classes of the community; his general intemperate habits also predispose him to disease, but these are not necessary to his position.

14. From the 10th of October to the 21st of November, 20 men were admitted to hospital at Prospect Hill with genuine yellow fever; three of these were hospital attendants; one was the person who washed the bedding (sheets, &c.,) of the sick; one lived in a private house (alluded to in Question 8); three were in the camp from the beginning of October, but had no connection with the hospital; three belonged to the company which came from St. George's on the 18th of October; eight belonged to the companies which came from Ferry Point on end of October; one came from Port's Island; of these last-mentioned 12, all but two had been drinking to excess, and absented and exposed themselves at night. I mention this to show that intemperance and exposure are predisposing causes, and render a man susceptible of the disease when it is once originated.

15 to 25. Unanswered.

26. A hot, still atmosphere, loaded with moisture, is favourable in all positions to the appearance and spread of yellow fever, and especially so in a climate which is almost tropical, like Bermuda.

27 and 28. Unanswered.

29. I do not consider any person secure against an attack of yellow fever, or even from repeated attacks.

30. Inhabitants or natives of a colony to which yellow fever and other fevers also are endemic, are less liable to such diseases than Europeans. During the late epidemic I have seen women and children attacked by the disease, but not in sufficient numbers to enable me to make any statement as to the proportion of sickness and mortality between sexes and ages.

31. I think it more than probable if the locality be unhealthy in which persons are exposed to such contact.

32. By a continuance of malaria, either vegetable or animal. I think yellow fever may be produced in unfavourable states of atmosphere at Bermuda, in crowded and ill-ventilated positions especially.

33. Removal from infected districts, and the separation of large parties of men into smaller bodies, and placing these in different and distant positions from each other. And I would recommend for the future prevention of the disease in Bermuda, that permanent, or even temporary, barracks should be erected, capable of containing comfortably from 100 to 200 men in different elevated positions in the islands.

34. Immediate removal from places where the disease may appear, and in the case of troops, separating and encamping them in different positions.

35. Unanswered.

36. Bermuda is small, has no rivers, and few open swamps, or extensive stagnant waters; is low and well wooded, and all bare or open spots are easily swept clean of malaria by even slight winds. The numbers of Europeans and strangers are comparatively small, and the population is scattered.

37. Unanswered.

38. I think that the troops and convicts should be separated into smaller bodies than hitherto, and that never more than 150 or 200 men should be kept together in any position; that every effort should be made to enforce cleanliness of houses and localities; that the barracks occupied by troops and the convict hulks

hulks should be so situated that ventilation and drainage could be properly established, and that the space allotted to each man should be considerably greater than that allowed by regulation. I do not affirm that these measures would prevent disease reappearing, but they would certainly tend to modify the character of any disease that might appear.

Are you of opinion that casemate barracks or forts are proper habitations for troops in this climate during the summer months?—Certainly not.

Are you of opininion that the confinement of prisoners on board hulks in the hot months is prejudicial to their health?—If the hulk is in a good position, not over crowded, and well ventilated, I consider it preferable to a prisoner on shore, particularly in a tropical climate.

In your opinion, what amount of space should be allotted each man in a barrack and hospital in this climate?—I am of opinion, that for a proper preservation of health among the troops not less than 600 cubic feet should be allotted to each man in a barrack, and in an hospital at least 800 cubic feet.

(signed) *Wm. Munro*, M. D.,
Assistant Staff Surgeon.

No. 16.

ANSWERS of Assistant-Surgeon *Deeble*.

1. I HAVE been seven years and a half as Assistant-Surgeon in Her Majesty's 56th Regiment. I have served four years and five months in Gibraltar, two years and ten months in Bermuda; also in Great Britain.

2. I witnessed one of epidemic cholera in Gibraltar.

3. The first case came under my personal observation on the 15th August 1853.

4. The case originated at Fort Cunningham, the individual was the wife of Private Davis, 56th Regiment; the case terminated fatally in five and a half days, there was no black vomit.

5. I have seen over 200 cases of yellow fever during the late epidemic, and was in medical charge of the Quarantine Hospital, at Port's Island, from the 4th October 1853, to January 1854.

6. That the disease originated in these islands, and was aggravated by a hot and wet summer.

7. No, I think it is not different.

8. I consider yellow fever infectious, and my reason for thinking so is, from the number of persons attacked who were attending the sick.

9. Yellow fever becomes communicable when it assumes a malignant type, in ill-ventilated abodes, and overcrowded hospitals.

10. I am of opinion that it was not imported.

11. I have seen sporadic cases occur in St. George's in December 1852, and January 1853.

12. The ration consists of 1 lb. of bread, and 1 lb. of fresh beef or salt pork daily; salt pork is issued on Monday and Thursday. The cubic space allotted to each man is as follows:—Royal Barracks, 393; Sappers and Miners, 417; Fort Victoria, 350; General Hospital, 545. The sick are treated in hospital. The troops are quartered at St. George's, Hamilton, Ireland, and Boaz Islands.

13. The soldier is susceptible to attacks of fever, from his indulgence in spirituous liquors.

14. The epidemic appears to have confined itself chiefly to Saint George's. The ready access which the soldier has to spirits, compared with that of Ireland Island, is well known to all, and comparative drunkenness consequently.

15. The want of cleanliness in St. George's, and the intermixture of the married soldiers and their families amongst the inhabitants in overcrowded and ill ventilated abodes where they reside. The General Hospital is situated close to the sea on the north shore; it is well ventilated, and capable of accommodating 50 men. The Ordnance Hospital is situated on the west of the town it is a wooden building inconvenient and badly situated, capable of holding 16 men.

16. I was stationed at St. George's, in medical charge of the 56th Regiment and military prison, from January 1853, to April 1853 and was doing the

Appendix.

Answers of Assistant-Surgeon Deeble.

ordinary duties of assistant surgeon from April up to the 4th September, when I was attacked with the epidemic fever. On the 4th October, I assumed the medical charge of the General Hospital at Port's Island, and continued in charge until January 1854.

17. The soil appears chiefly sand. The town of St. George's is situated in a hollow, surrounded by low hills; on the eastern side, at a little distance from the town, the barracks are situated, surrounded by the forts; the burial ground is in the centre of the town; there are two slaughter-houses in the town; pigs are also kept in the town, and the back yards, lanes, and several of the houses are kept in a most filthy state, enough to engender fever and other diseases.

18. The soil is disposed of at long periods, by digging deep holes where it is deposited. There are no cesspools or drains of any kind.

19. I believe St. George's has always suffered severely from epidemic diseases.

20. Unanswered.

21. The troops were removed to the Ferry on the 13th September.

22 and 23. Unanswered.

24. Some years; her position was bad, being directly under a perpendicular bank, and the inmates deprived of a free circulation of air, and I consider that she was the hot-bed of the late epidemic fever.

25. I consider that remittent fever is.

26. A damp warm wind from the south and east, and a temperature above 70 degrees.

27. I understand that in 1843, there were the same conditions of the atmosphere and winds.

28. The summer was very hot, and more rain fell.

29. Plethoric habit, and Europeans lately arrived from their native land.

30. The inhabitants are more exempt than Europeans, females than males, coloured than white.

31. I believe yellow fever is communicable by direct contact, and by inhaling the miasm conveyed from the patient's body.

32. Yes.

33. Unanswered.

34. The immediate removal of the healthy from the infected locality.

35. The result I believe was salutary.

36. I am not prepared to say.

37. I do not.

38. Unanswered.

Are you of opinion that casemate barracks or forts are proper habitations for troops in this climate during the summer months?—I am of opinion that Fort Victoria is not; and Fort George should only have half the number of men in it that now occupy it, during the hot months, and I consider one half the men should be taken out of the Royal Barracks during the hot months in each year; care should also be taken to avoid having more than one prisoner in each cell at the Military Prison.

Are you of opinion that the confinement of prisoners on board of hulks during the hot months is prejudicial to their healthy condition?—Provided the hulk be moored in an airy situation, and that they are not too crowded on board, I am of opinion that it is not prejudicial to a healthy condition of prisoners being confined on board of them.

(signed) *Wm. Deeble,*
Assistant-Surgeon 56th Regiment.

No. 17.

Answers of W. F. Knox, Esq.

ANSWERS of *F. W. Knox*, Esq., Assistant-Surgeon 56th Regiment.

1. I HAVE been in Her Majesty's service two years and six months; two years and three months, a half of which, were spent in Canada, New Brunswick, and Nova Scotia; the remainder in the Bermudas.

2. I have seen a good deal, and served partially in the cholera epidemic, in Ireland, in the year 1849.

3. The

3. The first case that came under my observation, in this late epidemic, was that of a man named Clancy, a clarionet player, belonging to the band of the 56th Regiment, at Prospect Hill, on the 2d of November 1853.

4. The case alluded to in the 3d observation, in my opinion originated on the march from the encampment at Ferry Point to that of Prospect Hill, as he was perfectly healthy at the former station. The case terminated fatally, he having sank rapidly from the time of his admission into the General Hospital at Prospect Hill (which was the day after our arrival there); but to the best of my recollection (as I left for Devonshire College in a few days) black vomit did not supervene before death.

5. As to the nature or extent of my practice, it is but limited, having arrived here on the 20th October, at which period the epidemic appeared to be on the decline, and always being placed in that position that I seldom saw how the case terminated, on account of the various changes that I experienced during the prevalence of the epidemic.

6. It appears to me that a case of very doubtful character occurred in the Ordnance Hospital during the month of December 1852, which terminated fatally, and a report of which was made to the acting governer by Dr. Farr, surgeon of the Ordnance department; but I am of opinion that the storm that occurred here on the 20th August 1853, which caused the hulk "Thames" to break some of her moorings, thereby stirring up the filth in which she is imbedded, I believe to the depth of 10 feet, together with the increased heat and moisture, both of which were felt last summer, had a tendency to aggravate the disease, which was one of the most malignant character and generally fatal.

7. I at one time thought that the epidemic might have been imported in some way or other; but on finding that the case I alluded to, that occurred in the Ordnance Hospital, and also one in the hospital of the 56th Regiment (this did not prove fatal) came on long before there was any rumour of the importation, has made me alter my opinion, and leads me to believe that yellow fever is endemic to the islands, but wants some exciting cause to make it an epidemic.

8. From what I saw I do not think it communicable. Some constitutions are more liable to get disease than others; but a great deal depends on the state of the atmosphere.

9. If communicable it may attack those that are living in crowded and badly ventilated dwellings; also those of dissipated habits, the air at the same time being impregnated with the malaria.

10. I am of opinion that the fever was not imported, but originated in these islands, as the case quoted in my sixth remark leads me to this opinion.

11. My opinion on this question is, that the specific miasma indigenous to these islands, together with the influence of the effluvia with which the convict hulk "Thames" must be surrounded, is, under special circumstances, liable to produce yellow fever.

12. Not being here when the epidemic broke out, and being moved so often from place to place as necessity required, that it was impossible to find out the effect in respect to the separation of the sick from the healthy, as also the cubic space allotted to each man. The Ferry encampment, in my opinion, was the most healthy of all the stations.

13. Yes. In my opinion the clothing of the soldier on guard during the day is too warm and heavy for this climate, together with which he is obliged to carry 1 lb. of ammunition, his firelock and belts, weighing 17 lb. 10 oz., and the chaco 1 lb.; altogether making him carry 19 lb. 10 oz. This, I think would be a predisposing cause for fever in the soldier. I also am of opinion that the punishment of heavy marching order drill is too much for a soldier in this climate, he being obliged to carry 27 lb. weight for three hours during the very hottest part of the day.

14. I allude in these particulars to the encampment at Ferry Point, and Ireland island, also to Prospect Hill.

15. The encampment at the Ferry was situated on a kind of peninsula, having one road running through its centre. A guard being placed at either end of the encampment, on the road side, prevented the soldiers communicating with St. George's (which was at that time the most unhealthy place on these islands) thereby rendering it the most eligible place for the troops. The Ordnance Hospital at St. George's is a hired building, and is situated at the

Appendix.

Answers of W. F. Knox, Esq.

south side of the island, and lies to the south-west of the town, down a declivity, and is sheltered from almost all the winds, except those coming directly from the south. The building is in a most dilapidated condition, there not being the space of two beds dry when it rains hard, as is customary in this climate.

16. I arrived at the encampment at Ferry Point on the 20th October 1853, where I remained till the 31st October, on which date the encampment was broken up, and we were ordered to join the encampment at Prospect Hill, where I remained till the 5th November, when I was ordered to Devonshire College; at which place I remained up to the 8th November, when I was sent to Port's Island, where I stayed till the 15th, and then I was ordered to Ireland Island, and on the 6th December left Ireland Island for St. George's.

17. The soil about St. George's is of a rocky description, and as to its acquired properties, I believe it has none. The town of St. George's is situated to the southward of the barracks and the forts, with the exception of Fort George, placed on the side of a hill, the lower street not being more than two or three feet above the level of the sea; there is no drainage whatever that I could make out. The houses, lanes, and back-yards are in a filthy condition, and no means whatever taken in keeping them clean. The tides rise about three feet. There are two burial-grounds, one for the inhabitants directly in the centre of the town; the other, the military, is situated at the back of the barracks, on the north side of the islands.

The slaughter-houses are two in number, and are situated in the north-east end of the town, one of which, kept by Mr. Todd, I was in the habit of visiting occasionally, and found clean at all times, and well ventilated, being devoid of any smell whatever; the second one, kept by Mr. Davenport, is in a dilapidated condition; no cattle have been slaughtered in the latter one for some time back; and on account of the fewness of the troops at St. George's lately, the number of cattle slaughtered per week amounts almost to nothing. I should certainly say that from the situation of St. George's, the dirt of the town, and the narrow and badly ventilated streets, that fever once engendered would be greatly aggravated by those causes.

18. I really cannot say how the night soil is disposed of, or how often the cess-pools, if any, are cleaned.

19. All the former epidemics that occurred on these islands were always attributed to importations, and Europeans suffered much more than the natives.

20. Not being here when the epidemic broke out, and being in so many different places, it was impossible to find out the numbers in each quarter accurately.

21. I believe that the immediate removal of the troops, and encamping of them, were the measures adopted, but I cannot say the date of their removal accurately.

22 and 23. Unanswered.

24. The hulk "Thames," as well as I could learn, has been moored in St. George's Harbour for the last 8 or 10 years, and I am of opinion that the quantity of filth she must be surrounded with, as the current of the tides are not rapid enough to clear it away, would be sure to aggravate the disease, if not to produce it.

25. I am of opinion that bilious remittent fever is endemic to Bermuda, and liable to become an epidemic by any exciting cause.

26. Moist atmosphere and heat, together with winds from the south-east or south-west.

27. None.

28. There scarcely ever has been so hot a summer felt in Bermuda, and never has so much rain fallen, accompanied by thunder and lightning as last summer.

29. The constitutions most predisposed to fever, are those of a sanguine temperament, but fever attacks all classes, and of very different temperaments.

30. Yes, more males are attacked that females, more adults than children, and more white than coloured people.

31. In my opinion, it is not communicable by touching the body either dead or alive, or the articles of dress, or bedding of those attacked.

32. Yes, I do think that yellow fever may be produced in Bermuda by the circumstance quoted in the margin.

33. Separating

Answers of W. F. Knox, Esq.

33. Separating the sick immediately from the healthy, and dividing the troops into various encampments, and keeping up strict quarantine laws.

I would, in the first place, suggest that all the hulks should be anchored out in the channel, and be occasionally moved from place to place within 300 yards up or down the channel. 2dly. I would suggest the propriety of having a floating Military Hospital, well ventilated, for such emergencies as may require it. 3dly. That the soldier in summer should be allowed to mount guard in loose smock frocks, such as they now wear on fatigue duty, merely carrying the bayonet; that they should have straw hats with a high crown, well lined, and having a broad brim served out to them, to protect them from the influence of the sun in the summer.

34. I strongly recommend the floting hospital, and of course to have always a mode of conveyance for the sick to this hospital.

Dividing the regiment into different encampments, not having more than 100 men in each encampment. Also to have a sufficient military medical force on the station in case they may be required.

35. From what I saw, it was attended with beneficial results.

36. This is a difficult question to answer, but in my opinion the seed of the disease is in the islands, and all it wants is, an exciting cause to produce it every year.

37. I could not ascertain the proportion.

38. I have given all the information my limited experienee can suggest towards the present inquiry, and only hope it may prove of the slightest benefit.

(signed) *F. W. Knox,*
Assistant-Surgeon, 56th Regiment.

No. 18.

Answers of *J. Ballingall*, Esq., Naval Storekeeper.

Answers of J. Ballingall, Esq.

1. Upwards of 46 years in the civil service of the Admiralty, in England, Brazil, Canada, Ceylon, and Bermuda.

2. I have experienced former epidemics in Ceylon and in Bermuda, but have only noted the latter. *See* answer to query 8.

3 to 5. Unanswered.

6. My opinion is, that the fever of 1853 originated in Bermuda; that its origin is attributable to the extraordinary heat and moisture of the last summer as compared with other seasons, and that it did not differ (except perhaps in degree) from former epidemics of yellow fever, with which these islands have been visited.

7. That opinion is not different from that which I entertained before the breaking out of this fever in a general form.

8. I think it communicable, and I ground that opinion on the following instances which have come within my knowledge during my service at Bermuda.

The Epidemic of 1837.—On 13 October 1837, Mrs. Lucy Brock, the wife of the then gaolor of Hamilton, died there of fever, and the same evening her body, together with that of her still-born child, was privately brought over to Ireland Island, and placed in a house situated in "The Square," and inhabited by one John Rickards, a smith belonging to the dockyard. The bodies were interred on the evening of the 14th October, and the muster-books of the yard show that within a week from that date about a dozen of the workmen (without reckoning their families) were attacked with sickness. More particularly, out of six convict guards who assisted to carry bodies to the graveyard, three fell victims to the fever; viz., John Strickland, on the 16th October; Charles Wilson, on the 17th October; and Thomas J. Davis, on the 20th October.

The husband of Mrs. Brock was so ill at the time of her death as to be unable to attend the funeral, and likewise died of the fever at Hamilton, the 10th No-

Appendix.

Answers of J. Ballingall, Esq.

vember 1837. The deaths of persons resident inand in the vicinity of Rickard's House, were as follows, viz.:

James Torr, mason - - -	died 21 October	1837.
Henry Perrin, labourer - -	died 27 „	„
John Rickards, smith - - -	died 28 „	„
Mrs. Rickards, his wife - -	died 1 Nov.	„
Mrs. Skinner, wife of a mason -	died 31 Oct.	„
William Adsley, warder - -	died 9 Nov.	„

The Epidemic of 1843.—Of a population connected with the Dockyard, of about 444 individuals (men, women, and children), as shown by a census taken in October of that year, 130 were attacked with fever, of whom 11 died, and eight of these deaths occurred in houses contiguous to or in the near neighbourhood of each other. At the Naval Hospital 1,210 fever patients were admitted between the 3d August and the 4th December, of whom 110 died between the 5th August and the 17th November. The medical staff then established at, or temporarily attached to, the hospital, consisted of one deputy inspector, two surgeons, and seven assistant-surgeons, Royal Navy, out of whom three of the latter were dangerously attacked with fever, but fortunately not fatally. These officers, doubtless, had the disease communicated to them whilst in attendance on the sick. Another case in point, and which occurred in 1843, is that of Governor Reid, who, I remember, having expressed a wish to be shown some patients in the last stage of the disease, was, by Dr. Gilbert King, the then deputy-inspector of the hospital, after some remonstrance, taken to the bedside of a patient who was almost at the point of death, and who I believe died before Colonel Reid left the hospital. The latter went home, and very shortly after was attacked with fever, and everyone who was then resident in Bermuda knows how long and dangerously ill he was. It is reasonable to suppose that he caught the disease in the visit to the Naval Hospital just mentioned.

The Epidemic of 1853.—The population connected with the Dockyard, and resident upon Ireland Island, taken by census in December last (and as shown in the Appendix, No. 2, dated 31 December 1853), amounted to 419 souls, men, women, and children. Of this number 29 were attacked with fever, but fortunately no death occurred. At the Naval Hospital 137 fever patients were admitted between the 28th August and the 26th December, most of whom, I understand, were soldiers belonging to the several corps in garrison in the colony. The first of these cases from the military were three patients, received on the 28th August from the Military Hospital at St. George's; at which period, be it remarked, Ireland Island and the Naval Hospital were comparatively healthy and free from fever. Of the number of admitted fever patients, 38 died between the 15th September and the 9th December, during which period also died of fever the European persons belonging to the service of the hospital. Several of the native coloured nurses were attacked with fever, but not fatally. During the prevalence of the disease the medical staff permanently or temporarily attached to the Naval Hospital consisted of one deputy-inspector and six naval assistant-surgeons, of whom the deputy-inspector and three of the assistant-surgeons were seized with fever, fortunately again not fatally, although three of the latter were dangerously ill. Contact with the patients may here also be reasonably assigned as the originating cause of the disease in these gentlemen, as well as in those who died, and in the nurses.

In further illustration of the point, may be adduced the melancholy cases of the daughters of Captain Jervis, R.N., the deputy-superintendent of the convict establishment, and of the attendants on their deathbeds.

Miss Martha Jervis, the elder daughter, died of fever at Boaz Island, on the 25th October 1853. The men who were about the house, and in immediate attendance on her, were—

H. Hazel, taken sick the day following her death, but recovered.

George Blinkworth, taken ill the 27th October, and died the 1st November 1853.

John Percival, taken ill the 31st October, and died the 4th November 1853.

Alexander Elder, taken sick the 1st, and died the 7th November 1853.

Ann Willcox, a European servant in Captain Jervis's family, and who was also in close attendance on Miss Jervis, was attacked the day she died, but recovered after a long and severe illness.

Miss Fanny Jervis, the younger daughter, died of fever at Mrs. Black's cottage,

at

at Spanish Point, the 21st November 1853. Charles Bond, a mate or quarter-master in the convict service, who had been in close attendance on that young lady during the most part of her illness, was brought over to Boaz Island about three hours before her death, in a high state of fever, and deranged in mind, but he recovered.

These various instances, in my opinion, prove, almost beyond a doubt, that yellow fever is communicable.

9. By actual contact with a person labouring under the disease; by touching the corpse of one dead of it, or by handling the clothes or bedding of either; also from entering the neighbourhood, house, or room, where yellow fever exists or has prevailed.

10. I am of opinion that the fever was not imported.

11. Yes, under special circumstances.

12 to 14. Unanswered.

15. The military barracks at Ireland Island appear to be healthily situated, but the privy attached to them, and referred to in the report of the officers of the Naval department, on the sanitary condition of Ireland Island, and hereto appended, seems to be susceptible of improvement, and is accordingly, it is understood, either in the course of being or about to be altered and reconstructed by the Ordnance department. With the exception of defective ventilation, the naval hospital at Ireland Island is believed to be generally eligible for all required purposes.

16. Continuous residence upon Ireland Island since January 1831, and in the appointment I now hold.

17. In applying this question to Ireland Island, I append a copy of a report by the officers of the naval department, and dated 12th September 1853, which will give full information regarding the means of drainage, and the precautions there adopted to keep the houses and their localities clean.

18 to 20. Unanswered.

21. See copy Report, referred to in answer to question 17.

22 and 23. Unanswered.

24. Since June 1844. Berthed in her present position in October of that year; this was the same as that formerly occupied by the "Antelope," which latter vessel was the first convict hulk stationed at St. George's, whither she was conveyed from the Dockyard in September 1833, and where she remained until October 1844, when she was brought back to the Naval Yard, and broken up. Both ships were secured in their berth, aground on the beach, for the convenience of sending the convicts with facility to and from their work, and until the breaking out of the epidemic of 1853 I never heard of the situation being an unhealthy one. At any rate, I am certain that until the period just referred to, no official request was ever made to me to have either of the hulks removed on that account. The "Thames" is now about to be shifted from the position she has so long occupied.

25. No; so far as I am aware.

26 & 27. Unanswered.

28. The temperature of the summer of 1853 was higher, and more rain fell during the hot weather, than is usually the case during the same season.

29 & 30. Unanswered.

31. Yes. See my answers to questions 8 and 9.

32. Yes; from both.

33. Briefly, public and domestic cleanliness; and particularly the latter, which would in a great measure carry the former with it. Improved drainage, sewerage, and ventilation are also highly desirable; and in my opinion there is still very great room for improvement in this respect throughout the Bermudas.

34. Parochial hospitals for the reception of the poorer classes of the community who may be seized with fever, with medical men, nurses, &c., attached to them, paid by the public; the dispersion, as much as may be practicable, of the troops and other large and congregated bodies of men; the restriction of all unnecessary intercourse with infected districts; the appointment of local boards of health delegated with sufficient powers for the thorough cleansing and purifying the different streets, lanes, courtyards, drains, privies, &c.; and also for taking such other measures as they may consider necessary for the public health.

35. I consider that separating the troops at Ireland Island tended to arrest the spread of the disease there in 1853.

Appendix.

Answers of J. Ballingall, Esq.

36. The general nature of the climate during the summer season at Bermuda does not appear to be favourable to the generation of yellow fever. This seems to be the reason why that disease appears so seldom in Bermuda.

37. No.

38. No. I think I have in my preceding answers given all the information of which I am possessed.

(signed) *J. Ballingall,*
Naval Storekeeper.

Her Majesty's Naval Yard, Bermuda,
13 January 1854.

(No. 1.)

MINUTES of an Examination into the Sanitary Condition of *Ireland Island*, on 2d September 1853, and following Days, by the Naval Storekeeper, Deputy Inspector of Hospitals, and Clerk of the Works.

THE state of the public health appearing to render a strict inspection of the sanitary condition of Ireland Island necessary, the undersigned have to remark as follows:

1. Contiguous to the dockyard, we found an open drain leading from the barrack privy to the sea, which did not appear to have been cleared for a considerable time, and contained a large quantity of night-soil. From this source, and from the large shaft connecting the privy with the drain, we found highly noisome and deleterious gases being evolved, contaminating the atmosphere. We consider it necessary that measures to clear the soil and to prevent its further accumulation in the drain be immediately taken; and further, that the plan of carrying off the soil from the privy be so altered as to prevent its being, as it now is, a receptacle for the formation and dispersion of these unwholesome effluvia.

2. Also contiguous to the dockyard, and diffusing an unhealthy atmosphere, is a temporary privy in use by the convicts employed on the works. It appearing that this privy could be moved to where it would no longer be objectionable, by reason of placing it over deeper water, its immediate removal was ordered.

3. Rows Nos. 3 and 4, mechanics' houses on the glacis, being nine dwellings.

The water in nearly all the tanks was found impregnated with sulphuretted hydrogen gas, and was only used by the inmates for culinary purposes or for washing, the water for drinking being procured from other sources.

This result appeared to be owing to part of the catch for the rain being roofs of shingle, constructed subsequently to the erection of the houses (the roofs of which are of slate), portions of the shingle being washed into the tanks, decomposed, and, with other deposits, produce the offensive gas. The tanks were also too close to the houses and to the privies, and thus receive impurities which affect the water. These houses were constructed in 1818, and being on the glacis, were ordered by their Lordships to be removed as soon as practicable. Permanent alterations seem therefore inadmissible, but we directed lime-shell to be put in the water to purify it, and various repairs to drains, &c., to be at once executed, and the whole interiors to be whitewashed.

4. Range No. 1, mechanics' houses on glacis, being four quarters. A wood building constructed in 1814. Two tanks were found under the rooms of this building, covered only by the naked flooring, and with no ventilation between the floor and the water. Sulphuretted hydrogen was escaping, and our attention was called to this by the assistant-surgeon, who had at this time a patient in one of these rooms. It appeared that dirty water spilt on the floors could get into the tanks, and the water was collected from shingle roofs.

The arrangement of tanks under such floors appears bad; we ordered the tanks to be cleared out, whitewashed, and ventilators cut into them, so as to prevent accumulation of foul air and moisture. It also appeared that this and an adjoining building were overcrowded, and five families were ordered to be removed from the island in consequence, and in default of other accommodation, the families being those of guards of the convict department required constantly on the works, and provided with quarters under the Commander-in-Chief's order of 15th May 1849, at rents of 2*s.* per week each.

5. Ranges Nos. 2 and 4, mechanics' houses on glacis, being nine quarters. Wood buildings constructed in 1814. In a very dilapidated state, open to the weather from decay in some parts, and probably unhealthy from decomposing wood. Condemned as not reparable in 1852; but, owing to want of quarters, patched up and occupied, as reported to Commander-in-Chief, under date 21st May 1853.

6. Private store and buildings, occupied by Mr. Darrell. Parts very dilapidated; much dirt lying about; two tanks in a filthy state; decomposing wood on different parts of the premises; ordered immediately to be cleaned and repaired, or where not reparable to be removed.

7. Adjoining Cockburn's Cut, our attention was called to the neighbourhood of the quarters occupied by married people of the regiment in garrison. We perceived various dilapidated huts, constructed of loose stone, and used as washhouses; much dirt and filth lying about, with small pools of stagnant water, producing a deleterious effect on the atmosphere. It appears neccessary that the proper authorities be communicated with, so that the nuisances above enumerated, and which tend to affect the general health, be done away with.

8. Spar

8. Spar Yard. The tank and cesspit to the privy of the warder's cottage in this yard, constructed in 1828, are only separated by a thin wall, and we found the water in the tank to be affected by the percolation from the privy. The privy is also too near the house. It appears necessary that another privy be constructed at a greater distance from the cottage, and that the tank be thoroughly cleaned, purified, and cemented. The ventilation of this cottage is interfered with by the old tank-house, a condemned building, and not used, and by a private workshop put up against it. We ordered both to be removed.

9. Cottages near Spar Yard, 10 in number. The water of five (from the shingled roofs) was complained of, and not used for drinking. That from the slate roofs of the remaining five was good. Ventilation appears to be required between the tanks and the naked flooring of the rooms over, which forms their covering, as adverted to under paragraph 4. Some trees were ordered to be cut down to obtain better ventilation, and some temporary erections attached to one cottage to be removed. One cottage in the occupation of the Commissariat department we found dirty, and consider a representation to the officers of that department necessary.

10. Six dwellings at Lodge Point were dirty and in bad order. The occupants were ordered to put them in proper order forthwith.

11. Several pigstyes were directed to be removed forthwith, and the keeping of pigs prohibited.

12. We ordered chloride of zinc to be used in various offensive privies, and certain drains, which, from the want of water, have become in some degree merely elongated cesspools, to be flushed by means of a proper apparatus forthwith.

13. Generally we would remark that we consider it desirable that Ranges 2 and 4 should cease to be made use of as quarters as soon as possible. That naked flooring, forming the floor of a room and covering to a tank, as in various buildings named, and as at the officers' quarters, and two other quarters at the Royal Naval Hospital, is objectionable, and that brick or stone arches may with advantage be substituted. That as soon as practicable the collection of water from roofs covered with shingles be done away with, by using other descriptions of covering. That means of ventilation be applied to all tanks, and between all ground floors and the ground beneath, so as to prevent the accumulation of deleterious gases and damp. That such drains as those adverted to under paragraph 12 be periodically flushed, in order to prevent accumulation of soil. That, if possible, a means be supplied of a constant supply of water to all privies or closets to the workmen's dwellings; that these should (having such supply) be provided with earthen pans, instead of remaining, as at present, open privies, and that further cesspits be done away with, and that tubular drains of proper size be laid down from the buildings to the sea wherever practicable.

Given under our hands this 12th day of September 1853, at Her Majesty's Naval Yard, Bermuda.

(signed) *J. Ballingall*, Naval Storekeeper.
E. Hilditch, Deputy Inspector of Hospitals.
J. D. Anderson, Clerk of the Works.

In submitting the foregoing report to the Vice-admiral the Commander-in-Chief, the naval storekeeper has to represent, with reference to paragraph No. 1, That a communication has been addressed to the respective officers of Ordnance; they replied by letter of the 6th instant, that orders had been given to the proper officer to remedy the nuisance complained of.

No. 4. That the convict officers occupying these houses had, on the 3d instant, notice given them to quit, and to remove their families off the Island within 14 days.

No. 7. Verbal communication had with the military authorities, and orders given to remove the nuisance complained of.

No. 9. Verbal representation made to the proper Ordnance authorities, and the nuisance complained of ordered to be remedied.

Generally. The other sanitary measures recommended are being simultaneously carried into effect with all the practicable despatch afforded by the resources at the disposal of this department.

(signed) *J. Ballingall*,
Naval Storekeeper.

Bermuda Yard, 12 September 1853.

My dear Colonel Oakeley, Monday, 27 March 1854.

DURING the stay of the French frigate "L'Armide," in August 1852, neither bedding, blankets, nor any other stores whatever, were provided from the dockyard; consequently no articles of the description you mention could have been returned to me; and I had no further transactions in that matter than by finding the means of assistance in the transport of the sick from Murray's Anchorage to Port's Island, and by defraying the expenses incurred in the colony on account of the French Government. But when Port's Island was put in requisition for the reception of their sick, the island was placed at the immediate disposal of our naval hospital, and therefore, in all probability, Dr. Hilditch might be enabled to give the information you require.

Yours, &c.
(signed) *J. Ballingall.*

(No. 2.)

A Schedule of the Number of Officers and Men belonging to the Establishment of this Yard, and employed on the New Works of this Department, and of the Women, Children, and Servants composing their Families, and resident upon *Ireland Island* during the prevalence of Yellow Fever, between the 1st August and the 31st December 1853, distinguishing Europeans from Natives, and also showing the Number attacked with Fever during that Period, &c. (exclusive of the Naval Hospital Establishment); viz.

	MEN.			WOMEN.			CHILDREN.										SERVANTS.									Total.
		Native.			Native.		European.				Native.						European.		Native.							
							Over 14 Years.		Under 14 Years.		Over 14 Years.				Under 14 Years.				Over 14 Years.				Under 14 Years.			
											Males.		Females.		Males.		Females.		Males.		Females.		Males.		Females.	
	European.	White.	Coloured.	European.	White.	Coloured.	Males.	Females.	Males.	Females.	White.	Coloured.	White.	Coloured.	White.	Coloured.	White.	Coloured.	Males.	Females.	White.	Coloured.	White.	Coloured.	White.	Coloured.	
Number - - - -	62	20	72	32	26	8	–	1	6	8	6	4	8	2	56	9	61	8	–	2	–	6	–	17	2	1	1	1	419
Of which number have been afflicted with fever between the 1st August and the 31st December 1853 - - -	4	3	4	7	3	1	–	–	–	–	–	–	–	–	4	–	2	–	–	–	–	1	–	–	–	–	–	–	29
Number of deaths by fever between the 1st August and the 31st December 1853 - -	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	Nil.

Bermuda Yard, 31 December 1853.

J. Ballingall, Naval Storekeeper.

No. 19.

Answers of *John D. Anderson*, Esq., Civil Engineer.

Answers of John D. Anderson, Esq.

1. I am a civil engineer, in the employment of the Lords Commissioners of the Admiralty; I have been so since 1841, serving in Her Majesty's naval yards at Portsmouth, Gibraltar, and Malta; at Bermuda since 1847, and in charge of the naval works, on which about 20 Europeans, 40 Bermudians, and an average of 600 convicts are employed. In 1852–53, I was on special service at Port Royal, Jamaica, and at Antigua, reporting on the naval works at those places.

2. I visited the United States and Canada during the cholera epidemic of 1849, and paid attention to the sanitary condition of New York, Philadelphia, Buffalo, Montreal, and other places. It appeared that where sewerage was defective, where cesspits and privies were in common use, where filth accumulated, where deposits of animal and vegetable matter lay on the shores of lakes and rivers, exposed to heat and damp, in all such places the epidemic was felt with unusual severity.

In January of this year I was twice at the Danish island of St. Thomas, remaining on one occasion three days; yellow fever then prevailed, and particularly in the steam vessels and coal ships of the British Royal Mail Company. I examined the locality at which these ships coaled; it is confined, and under a cliff, so that there is little circulation of air in the neighbourhood of a marsh; and owing to its position with reference to the prevailing winds, much of the filth that floats from vessels in the harbour finds its way to it. Piling in front of the shore forms the wharves; under and between the piles, and on the shore, the above-mentioned filth lodges, together with that arising from 200 to 300 negroes employed in coaling; and it appeared that vessels which lay at this place generally contracted fever. The "Bermuda" steamer, which visited St. Thomas's once in each month, lying there for several days on each occasion, but not at this wharf, and which had done so during the whole period of the epidemic, had not had fever on board of her.

3 to 11. Unanswered.

12. Having had to fit up a building in the naval yard as a temporary barrack for 80 men, on the breaking out of the epidemic to which this inquiry refers, I made it my business to ascertain the cubic space allotted to each soldier in the casemate barracks at Ireland Island, intending thereby to be guided. On the ground floor of these barracks, I found that each soldier was allowed nearly 290 cubic feet, and on the upper floor rather more. Considering this amount entirely inadequate, I allowed 600 cubic feet to each man, having ample means for ventilation besides, in which the casemate barracks are very deficient. I would add, that I perceived in these barracks that each alternate room on the upper floor had a well-hole and staircase communicating with the room below; and by this means, I consider that the exhalations from the bodies of the men on the ground floor ascend and contaminate the atmosphere of the rooms above.

It might be interesting to ascertain whether the fever was more or less prevalent in the upper or lower rooms, as the staircases could readily be moved outside, and the well-holes closed.

Having three guardhouses under my charge, as part of the naval works, and perceiving that soldiers generally keep all the usual openings for the admission of fresh air closed, in these guardhouses, I would remark, care has been taken to secure ventilation by other means than by doors and windows; and inquiry might show that advantages would result from applying such principle to barracks generally.

Regarding the locality occupied by the troops at Ireland Island, I consider that the barrack privy, which accommodates a garrison of about 300 men, must exercise a bad influence upon its sanitary condition. A hollow shaft, about 50 feet high, and averaging about 24 feet by 4, or 96 superficial feet of section, conducts the soil from the top of the rampart to an open ditch leading to the sea. The shaft is always filled with the most noisome gases, continually escaping, and the ditch with the decomposing soil. The whole surrounding atmosphere is affected, and that not only as regards the barracks, but as regards part of the

Appendix.

Answers of John D. Anderson, Esq.

naval yard. In September last I was obliged, from this cause, to vacate a building temporarily used by me as an office for the preceding six weeks.

13 & 14. Unanswered.

15. Respecting the first part of this question, I would refer to that part of my answer to question 12 relative to the barrack privy, mentioning at the same time the officers' privy, attached to the same barracks, and its cesspit. With reference to the second part of the question, the royal naval hospital at Ireland Island is one of the works under my charge. It stands on a height about 50 feet above low-water level, with free access to the winds from all sides. In a basement are store-rooms, and over it is the first floor, 62½ feet above low-water level, comprising two wards, each 49 ¼ feet by 24 ½ feet and 12 ½ feet high. On the second floor are two wards of equal size, but only 10½ feet high. This accommodation is supposed to be sufficient for 80 patients, giving about 760 cubic feet in the lower and about 640 in the upper wards to each. Wide halls separate the wards, and a spacious verandah to each floor surrounds the whole building.

In 1849 a system of privies and cesspits which had been in use was discontinued, and watercloscts with proper sewerage to the sea substituted. This has been found a great improvement in a sanitary point of view. The ventilation has been paid great attention to, but as in summer, when it is required to be most efficient, and when an epidemic is most likely to fill the hospital, dead calms and great dampness of atmosphere frequently prevail, I am of opinion that in it and all similar buildings requiring frequent and rapid changes of their atmosphere, in this climate it is necessary to use artificial heat, with a proper arrangement of flues, as a means of inducing currents of air; those occasioned by natural causes then failing, as has proved to be the case in this hospital, when from the want of such currents foul air is not carried off. Ventilation in the climate of the Bermudas I consider more difficult than at Jamaica or elsewhere within the tropics. The constant heat and dryness there vaporise, draw up, and tend to the dispersion of foul air; while at Bermuda, with less heat, much damp, and frequent calms, exhalations hang on the surface and gently spread over it.

In such a climate I would also give my opinion that all barracks and buildings similarly occupied should be vacated for from four to six weeks every summer, to admit of their thorough purification from human exhalations, which experience has shown hang in such places, and are not dislodged by ordinary cleansings.

16. At the naval establishments, Ireland Island, since May 1847, and during the whole of 1853, excepting the month of January, when in the West Indies. *See* Answer to Question 1.

17. I will particularly refer to Ireland Island; it is partly formed of limestone of a crystalline character, partly of a limestone formed by an aggregation of comminuted shells and corals, partly of a calcareous sand, and partly of a red argillaceous earth. There is little vegetable mould. Where not cleared, it is covered with cedar trees (*Juniperus Bermudiana*), similarly to the other islands. The dwellings are generally pretty well scattered, and in airy situations. The barracks are detached from the parts occupied by the civilians of the naval department.

The surface drainage is good, but cesspits, to be immediately done away with, in the naval department, are in use instead of proper sewerage, which is to be substituted.

The whole island is the property of the Crown, and, with the exception of the barracks, of the naval department, and strict regulations are in constant force in the naval establishments as to the preservation of cleanliness.

The rise and fall of tide is at springs nearly four feet, and at neaps about two feet six inches. The shores being left uncovered at low water, and when deposits lie upon them, sometimes occasions noxious effluvia, but such deposits are always immediately removed.

A lagoon which communicates with the sea has, from various peculiar circumstances, been considered to produce malaria at times. By a second communication with the ocean, now being cut, it is believed that an improvement will be effected, as there will then be nearly a constant current of the sea through it.

The

The burial-ground is considered to be too close to certain of the dwellings, and it is a fact deserving of record that most of the cases of fever which this year occurred were in houses not more than from 100 to 250 yards from it, and to leeward with the prevailing winds. The light calcareous nature of the soil permits of the free extrication of the gases arising during decomposition.

As regards the towns of Hamilton and Saint George's, I am to some extent familiar with their sanitary state.

At Hamilton surface drainage has been paid some attention to, but there are no sewers, and the use of cesspits is universal. There are from 400 to 420 houses in the town, with a population of about 1,900, or averaging four and a half persons to each house. The houses are of a fair description, generally having two floors, with stone walls, and roofs of the same, sawn into slabs and laid as slates; but many, even the best, are objectionable by reason of the ground-floors being laid nearly level with the ground, and with no ventilation underneath. On the subject of the salubrity of such ground-floors in the climate of Jamaica, I would here give the opinion of Dr. Watson, now deputy-inspector of the Royal Naval Hospital at Port Royal, as expressed in a letter addressed to me in November 1852. Dr. Watson says, "I have no hesitation in denouncing as prejudicial to health and extremely dangerous to life, in this place, the occupation of all ground-floor residences." He had been eight and a half years at Port Royal. As, to keep the houses and particularly the roofs water-tight, it is necessary to whitewash the outside about once a year, this is usually done. Each house is generally provided with a tank for the storage of rain-water.

There are three or four wells in the town, but the water is only used by the poorest classes, its quality being indifferent. The cesspits in use are commonly from 15 to 20 feet in depth, and are never cleaned out. Some, however, are shallow, and are cleaned once a year; and there are persons who let the soil fall on the surface, and when it becomes offensive bury it in holes in their yards or gardens. Lime seems to be frequently put into the pits. Dirty and waste water is generally thrown into the back-yards, where I have also occasionally seen considerable accumulation of rubbish and dirt; but, on the whole, Hamilton may be considered as tolerably cleanly, except as regards the disposal of the soil. Its streets are wide and well disposed for ventilation; the site is good, and admits of easy drainage to the sea. The marshes to the north are undoubtedly unhealthy, but, probably owing to the direction of the prevailing winds, bad results from this cause have not as yet been apparent. Should, however, the town be extended further towards these marshes, I would be very apprehensive of bad consequences.

At the head of the creek forming Hamilton Harbour extensive deposits are being formed by the washing down of earth and other matters. From the banks thus formed, offensive exhalations arise when they are bared at low water; and I think the removal of such deposits, or the conversion of the portion which is laid dry at low water into land above the influence of the tide, and the taking means to prevent further deposits, may well be considered subjects deserving serious consideration, and that before the evil becomes more extensive.

At St. George's neither drainage nor sewerage have received attention. The population is about 1,440, with about 220 dwellings, or averaging six and a half to each. These dwellings, though of the same description, are generally inferior to those of Hamilton; and it will be perceived, from the preceding figures, that the population is also more crowded, in the proportion of six and a half to four and a half. Part of the town lies but little above water level, and a considerable portion is built in a sort of basin rising on three sides of this low part, said to be chiefly made ground. Many of the streets are mere lanes, and the town is generally confined and deficient in ventilation. Cesspits are used, but much soil is deposited on the surface in all directions.

Waterbuts, which are seldom seen at Hamilton, are not very uncommon at St. George's, and in their neighbourhood rank vegetation is frequently to be seen. Many of the houses are without tanks, and the water from two or three wells (of which the water, like that at Hamilton, is indifferent) is used by many of the poorer classes. The general state of St. George's is by no means satisfactory in a sanitary point of view. Efficient means of drainage and sewerage to the sea might be adopted. The graveyard is in the too close vicinity of dwellings, and it is understood to be very crowded.

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Generally I would remark, on the use of cesspits in those towns, that during heavy rains much deleterious gas must be forced suddenly out of them, thereby rendering the atmosphere noxious, while there must at all times be more or less of it evolved, causing the same mischief, but in a less degree.

It may also be observed, that as time passes and as the towns become larger, the strata on which they stand will by percolation get impregnated with night-soil, and so will become huge cesspits, from which the action of rain, damp, and heat will continually evolve a constantly increasing amount of deleterious gases.

The action on the few wells that exist is necessarily prejudicial, and will become more so.

18. *See* Answer to Question 17.

19 & 20. Unanswered.

21. The principal officers of the naval departments, on 2d September, or immediately that yellow fever was understood to be in the colony, and on following days, made a house-to-house visitation in Ireland Island, and the most active measures were adopted for extra cleaning, flushing, and ventilation, for the diminution of the number of persons in apparently overcrowded dwellings, and for all such other precautions as experience had shown to be advisable. These measures were continued during the prevalence of the epidemic, when or where required, as ascertained by constant supervision. Intimation was given to the Ordnance officers of the unhealthy state of the barrack privy, adverted to in answers to Questions 12 and 15, and to the officer commanding the troops, of the unhealthy state of the quarters occupied by married people of the 56th regiment. A great proportion of the last-mentioned were then moved from these quarters and put under canvas, the quarters being considered unfit for their occupation, and the nuisances in that neighbourhood were removed.

On 19th, 20th, and 21st September, the naval officers communicated to the convict authorities their joint opinion that the "Medway" convict hulk, having on board about 600 men, and which lay in a comparatively ill-ventilated angle of the basin, and the effluvium from which was pervading certain of the naval dwellings, the casemate barracks, and part of the dockyard, should be removed to moorings in Grassy Bay, about half a mile from the shore. This was agreed to on 21st, and the hulk was got out on 2d October. This left only one hulk, having on board about 260 men, in the basin, and she lay in an airy part of it, and no effluvium from her reached the dwellings or barracks.

On 22d and 23d September the naval officers put at the disposal of the officer commanding the troops the upper floor of a large airy building, capable of containing 80 men, with 600 cubic feet of space per man, so as to enable that number of men to be removed from the overcrowded casemate barracks, and on the 27th, the necessary fittings having been completed, the troop soccupied the building.

On 23d October, the atmosphere round the naval hospital appearing to be to some extent contaminated, hot lime was on 24th and succeeding days used in the neighbourhood, and with apparently good effect.

In cases of illness, chloride of zinc was used in the dwellings to purify the atmosphere, the dwellings themselves, and clothing.

Lime was used in the graveyard, the graves dug six feet deep, and filled in with argillaceous earth as much as possible, instead of with calcareous sand, as usual. This to prevent as much as possible the escape of deleterious gases. The graveyard was also enlarged, with the view of leaving more space between the graves, so as to diminish the probability of the escape of such gases.

22. From 1st June to 30th September, the convicts are on the works from seven till 11 A.M., and from 2 to 6 P.M. From 1st October to 31st May they are on the works from 7½ A.M. till noon, and from 1½ to 5 P.M. In summer it will be observed that for three hours during the heat of the day they are not at work, an arrangement which doubtless tends to their preservation in comparative health. While on the works they are employed as carpenters, painters, blacksmiths, masons (stonecutters and builders), quarrymen, paviors, excavators, lime-burners, and labourers. The health of the quarrymen, whose work is the most severe, and who are necessarily most exposed to the sun, suffered most during the epidemic of this year.

23. Unanswered.

23. Unanswered.

24. I am familiar with the position of the "Thames;" she lies aground on a shoal, except at extraordinary spring-tides, when she floats, under and to the south of a high bank. The sun has in that position immense power, and it is not one favourable for ventilation. The neighbouring shores and shoal on which she lies receive various offensive deposits. The prevailing winds carry the effluvia from such, and from the hulk, up the bank and towards the Royal Barracks. I consider her position a bad one in a sanitary point of view, both as regards the health of the crew, and as regards the health of the occupants of the Royal Barracks.

25 & 26. Unanswered.

27. I have not. *See* Answer to Question 28.

28. I beg to lay before the Commissioners Tables, marked 1, 2, 3, and 4, showing various particulars respecting the fall of rain, the temperature, the direction of the wind, and the number of days of calms, or comparative calms, during the whole or part of 1853, comparing the same with similar particulars for 1852, and the amount of rain with that observed by Captain Page between 1836 and 1839. The amount of rain in 1852 and 1853 was recorded by myself; the other particulars are taken from the register of the centre signal station, as published in the "Royal Gazette." I would state that, having been stationed at Bermuda since May 1847, I consider 1852 to have been an average year as to temperature and other meteorological particulars, and therefore a fair standard of comparison. By these tables, I think it will appear that more rain fell in July 1853 than usual, accompanied by frequent and unusual calms and a predominance of southerly winds; also that the temperature remained above its ordinary point to a later period. The heavy rains of July would, I consider, drive much foul air from cesspits and such places, and would, with the usual high temperature, cause great and probably unusual decomposition of animal deposits; also of vegetable matter in the lagoons and marshes. The malarious atmosphere thus generated, owing to the continued calms, would there remain comparatively undisturbed, accumulate, and spread itself. A continuance of southerly winds is well known to produce here a depressed state of the bodily and mental functions, and on the system thus probably disposed to receive its influence the malarious atmosphere would no doubt act. The unusual very heavy gales and amount of rain in November and December of 1853 further mark it as an exceptional year with reference to meteorological phenomena.

Respecting extraordinary atmospheric or other influences being perceptible previous to the acknowledged breaking out of fever in the epidemic form, I beg leave to lay before the Commissioners, Tables, marked 6 and 7, showing the amount of sickness among negroes and mulattoes employed on the naval works; also among convicts of the same department from April to August inclusive, for 1852 and 1853. It will, I think, appear that from April till the acknowledged breaking out of the epidemic fever, sickness to a greater extent than usual prevailed among the classes of persons to whom these tables refer. I consider that the return for 1852 exhibits about the average amount of sickness. In May 1853, the amount of sickness among the convicts (being those of the "Medway" hulk) appeared to me so unusual, that I noticed it in my monthly report of work executed by the convicts, and continued to do so in the succeeding months. I also then, or shortly after, called the attention of three medical gentlemen of standing to this state of matters, and to the fact of unusual sickness among negroes and mulattoes.

29 to 32. Unanswered.

33. The actual cause of yellow fever being yet, as far as I am aware, undiscovered, my own experience has nevertheless shown me that it, like cholera, takes its victims chiefly from amidst filth, dirt, and damp, from overcrowded and ill-ventilated dwellings and barracks reeking with the pent-up exhalations of those who inhabit them, from the neighbourhood of marshes, lagoons, stagnant pools of water, cesspits, or where vegetable and animal matters are undergoing putrefaction and evolving noisome gases; and it may therefore, I think, be reasonably inferred, that if these influences be removed or modified, a visitation

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of yellow fever may have to count those it has destroyed by tens, instead of hundreds.

The active sanitary measures followed at Ireland Island, as described in answering question 21, and which had for their object the removal or modification of any such influences as have been above adverted to, were, under Providence, found efficacious, and in Table 5 will be found various particulars in elucidation.

It is a striking fact, that while in 1843, when the population was nearly twice as much crowded, in an inferior description of dwellings, and with sanitary measures less understood and attended to, the cases of fever and deaths were 36·54 and 2·5 per cent. of the population respectively, in 1853, with nearly the same amount of population, but with that population better situated in all respects in a sanitary point of view, the cases were seven per cent. only, and the deaths none.

Bearing all these results in mind, as well as those elsewhere brought under my notice, with deference I would submit, as points worthy of consideration, the allowing to each soldier at least 600 cubic feet of space in his barracks; the proper ventilation of barracks by means other than doors and windows, and those to be, if possible, beyond the control of the occupants.

The conversion of such privies as those adverted to in answering 12 and 15 into proper closets, with a proper system of sewerage, as applied to the Royal Naval Hospital in 1849, and described in answering 15.

The vacation of all barracks for from four to six weeks in each summer, with the view of their complete purification.

The application of a proper system of drainage and sewerage to the towns of Hamilton and St. George's, and the doing away with cesspits.

The enactment of proper municipal regulations respecting the levels on which to build, and the proper and healthy construction of all dwellings in these towns, and respecting the preservation of cleanliness at all times. Also, respecting the construction of a proper water tank to each dwelling.

The ceasing to use the present burial-ground in the town of St. George's, and the substitution of a site more removed from dwellings.

The removal of the banks dry at low water at the head of Hamilton Harbour, or their conversion into land above tidal influence, as adverted to in answer 17.

The repair of the sluices to the Pembroke marshes, now inoperative, and which permit a pernicious mixture of salt and fresh water, by which mixture the animal and vegetable life proper to each is commonly destroyed, forming deposits of matter which decompose and evolve deleterious gases.

The forming of proper drains under embanked roads, so that ponds of stagnant water shall not be formed, or surface water prevented from discharging itself according to the natural drainage of the surrounding district.

The ceasing to use the present burial-ground at Ireland Island, and the substitution of a site more remote from dwellings.

The removal of the "Thames" convict hulk from her present position in St. George's Harbour.

The ceasing to break up the old convict hulks in the Naval Yard. On this subject some observations will be made in answering 38.

34. The measures taken in the naval department, as described in answering 21, indicate generally measures that were found to be efficatious. The immediate dispersion of men to other localities than those in which they were attacked, these localities being properly chosen, evidently exercises a most powerful influence in checking fever.

35. Unanswered.

36. With deference I offer one or two remarks that may bear on the question, but without attempting to answer it. When yellow fever has heretofore appeared, barracks have been vacated and completely purified, towns and dwellings cleaned, and accumulations of dirt and filth removed, the state of cesspits looked to, and general attention paid to sanitary measures. In a year or two the events that led to such measures are almost forgotten, another set of executive officers and other corps arrive from England or elsewhere. Yellow fever is to all these, generally speaking, merely a name, little more, and the recommendations

mendations of those who have experienced that it is something more are lost sight of. The municipal authorities and natives, to some extent, forget also, and altogether sanitary measures and precautions receive less and less attention.

Under these circumstances, should atmospheric influences tend to disease, as I think they did this year, and should epidemic fever be prevalent in this quarter of the globe, as it has been for the last 18 months, as at St. Thomas, Turk's Islands, the Bahamas, Havannah, and New Orleans, and even felt at Philadelphia, I do not think it surprising that it should first show itself, and then from the bad sanitary condition of the towns and garrisons become localised.

37. Unanswered.

38. I am not aware that I can submit any further information, or offer any other suggestion, than to remark, that during the summer the convict hulk "Coromandel" was broken up at Ireland Island. She is believed to have been about 80 years old, and to have been nearly 30 years here occupied as a hulk.

She was very rotten, and in the bottom were from 12 to 18 inches of decomposing black sludgy matter. The timbers from the lower part of the ship when laid in the Naval Yard, and this sludgy matter when wheeled across it in barrows, gave out most offensive odours, and for three or four weeks I daily suffered from headache while exposed to its influence. See part of answer to 33.

(signed) *John D. Anderson.*

31 December 1853.

Additional Question.

In your opinion, are the Casemate Barracks at Ireland Island, as at present occupied and ventilated, fitted for troops in this climate?—These barracks are so situated with reference to the ramparts, that they are shut out from the prevailing winds, and require even more than ordinary means of ventilation; as occupied and ventilated when I last was in them, I consider them totally unfitted for the occupation of any class of persons in this climate. With 14 instead of 25 men in each room, the internal staircase removed, and the well-holes closed, and with openings in or near the floor for the admissions by means of air-drains of a due quantity of fresh air, and near the ceilings for the exit of foul air, I consider they would then be fit for occupation; the noxious influence arising from the present privy being at the same time removed.

I also consider that a great improvement would be the addition of fireplaces as in the officers' quarters, of otherwise exactly similar construction in the same barracks.

You have stated that it was necessary to remove the "Medway" hulk to Grassy Bay from the basin; can you inform the committee if there was any loss to the public from this cause?—I can state the loss caused by the diminution of time during which the convicts were on the works, and by unproductive labour, arising from the ship being so removed. It amounted, from these causes, to 64*l.* per week at all times, and from circumstances occasionally to a larger sum. The hulk has now been 13 weeks in the bay.

Appendix.

Answers of John D. Anderson, Esq.

Table 1.

Comparative Statement, showing the Average Fall of Rain in the *Bermudas* from 1836 to 1839, both inclusive, as recorded by Captain *Page*, Royal Engineers; and for 1852 and 1853, as recorded by Mr. *Anderson*, Civil Engineer at Her Majesty's Dockyard.

Month.	1836 to 1839, both inclusive.	1852.	1853.	Remarks.
	Inches.	*Inches.*	*Inches.*	
January -	5·63	7·23	3·95	Generally stormy and unsettled.
February -	5·06	3·31	2·61	Generally changeable; stormy.
March -	3·76	3·92	5·30	- - Generally gales in early part; fine towards end. Hail in 1838.
April - -	3·10	3·62	5·48	- - Generally moderate, fine, and temperate.
May - -	3·30	3·17	2·80	Generally beautiful and serene weather.
June - -	5·34	4·01	1·11	Generally fine, with showers.
July - -	4·65	2·67	6·98	- - Generally dry. The fall of nearly 7 inches in 1853 unusual.
August -	3·37	7·00	3·51	- - Generally dry and sultry. 1834, 1835, and 1836, frequent and much rain.
September -	3·93	5·27	6·38	- - 1837, very dry; 1839, a hurricane. Generally unsettled, particularly towards end.
October -	10·90	4·26	6·69	- - Generally wet and unsettled, 1836; 17 ¼ inches of rain. On 9th, 1837, 4 ½ inches.
November -	4·19	2·40	11·63	- - Generally fine. On 13th, 1853, 4·68 inches of rain.
December -	5·28	2·98	11·34	- - Generally gales and unsettled, with rain. On 14th, 1853, 4·38 inches of rain.

November and December of 1853 unusually stormy, there being a constant succession of very heavy gales, with, as the Table shows, an usual amount of rain.

31 December 1853. (signed) *John D. Anderson.*

Table 2.

Comparative Statement, showing the Average Temperature at Noon at the Centre Signal Station, *Bermuda*, 134 Feet over the Level of the Sea, for the Months of May to October inclusive, for the Years 1852 and 1853.

Months.	1852.	1853.	Remarks.
	Fahrenheit.	*Fahrenheit.*	
May - - - - -	75°	72° 4	
June - - - - -	78° 8	78° 6	
July - - - - -	82° 4	82° 5	The hot weather appears to have continued to a later period of 1853 than of 1852.
August - - - - -	82° 8	82° 1	
September - - - -	79° 7	80° 8	
October - - - - -	74°	76° 1	

31 December 1853. (signed) *John D. Anderson.*

Table 3.

TABLE 3.

COMPARATIVE STATEMENT, showing the prevailing Direction of the Winds for the Months of May to October inclusive, as observed at the Centre Signal Station, *Bermuda*, during the Years 1852 and 1853.

Wind's direction -	Between S. & W.		Between W. & N.		Between N. & E.		Between E. & S.	
Year - - -	1852.	1853.	1852.	1853.	1852.	1853.	1852.	1853.
Month - -	- - - - - - May.							
Number of days -	13	9	8	9	6	8	4	5
Month - -	- - - - - - June.							
Number of days -	17	8	6	10	4	10	3	2
Month - -	- - - - - - July.							
Number of days -	22	25	4	2	3	–	2	4
Month - -	- - - - - - August.							
Number of days -	19	26	6	3	5	1	1	1
Month - -	- - - - - - September.							
Number of days -	9	11	7	6	10	9	4	4
Month - -	- - - - - - October.							
Number of days -	7	16	11	5	9	6	4	4

Remarks.—In May and June of 1853 there were 37 days of northerly and 24 of southerly winds, while in the same months of 1852 there were 24 days of the first and 37 of the last. In July, August, September, and October 1853 there were 32 days of northerly and 91 of southerly winds, while in the same months of 1852 these numbers were 55 and 68 respectively. It would thus appear that, as compared with 1852, in 1853 northerly winds predominated to an unusual extent in May and June, and southerly winds in July, August, September, and October. In this abstract due easterly winds are included as south, due west as north. In May and June of 1852 there were seven days of west and three of east winds, and in the same months of 1853 one day of west and two of east winds. In July, August, September, and October of 1852 there were ten days of west and six of east wind; and in the same months of 1853 there were two days of west and four of east wind.

(signed) *John D. Anderson.*

31 December 1853.

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Answers of John D. Anderson, Esq.

TABLE 4.

COMPARATIVE STATEMENT, showing the Days of Calms or of very Light Airs, as designated 0 and 1 in the usual Meteorological Registers running from 0 to 12, as recorded at the Centre Signal Station, *Bermuda*, for the Months of May to October, inclusive, for the Years 1852 and 1853.

MONTH.	Days of Calms or very Light Airs.		REMARKS.
	1852.	1853.	
May - - -	10	12	
June - - -	7	10	
July - - -	2	14	It would appear that, as compared with 1852, there had been unusually little movement of the atmosphere during July 1853.
August - - -	8	8	
September - -	7	7	
October - - -	7	8	
TOTALS - -	41	59	

31 December 1853. (signed) *John D. Anderson.*

TABLE 5.

COMPARATIVE STATEMENT, showing the Civil Population of *Ireland Island* belonging to the Naval Establishments, the Number of Dwellings, Average Cubic Space allowed in the Dwellings to each Person, the Number attacked by Fever, and the Number of Deaths from that cause, during the Epidemics in the Years 1843 and 1853.

The Return includes men, women, and children. It may be observed that this island belongs to the Crown, and is occupied by its establishments only.

POPULATION.		Number of Dwellings.		Average Cubic Space allowed to each Person in the Dwellings.		Number of Persons attacked by Fever.		Deaths from Fever.	
1843.	1853.	1843.	1853.	1843.	1853.	1843.	1853.	1843.	1853.
444	419	62	92	1,870	2,921	162	29	11	—

It appears that in 1843 there averaged 7·1 persons to each dwelling, while in 1853 that average was reduced to 4·55; that in 1843 each person (officers and men included) of a family was allowed, for all purposes, 1,870 cubic feet of house-room, which in 1853 had been increased to 2,921 cubic feet; that in 1843, 36·54 per cent. of the population were attacked, while in 1853 it was only seven per cent.; that in 1843, 2·5 per cent. of the population died, while in 1853 no deaths whatever occurred.

31 December 1853. (signed) *John D. Anderson.*

TABLE 6.

COMPARATIVE STATEMENT, showing the Amount of Sickness among Negro or Mulatto Artificers and Labourers employed in the Department of the Director of Works in Her Majesty's Naval Establishments at *Ireland Island*, *Bermuda*, during the Months of April, May, June, July, and August of 1852 and 1853.

MONTH.	1852.			1853.			Per-centage of Sickness to Strength.	
	Number Borne.	Number of Days as for One Man.		Number Borne.	Number of Days as for One Man.			
		Borne.	Sickness.		Borne.	Sickness.	1852.	1853.
April - -	19	570	8 ½	24	720	17 ½	1·5	2·43
May - - -	20	620	2	27	837	10 ½	0·32	1·25
June - - -	19	570	1 ½	29	870	12 ½	0·26	1·43
July - - -	20	620	6	32	992	37	0·97	3·73
August - -	20	620	39	32	992	59 ½	6·3	6·0

Remarks.—The health of the Europeans employed on the works did not vary from the usual average during the above months of 1833. The unusual amount of sickness among the negroes and mulattoes called attention.

31 December 1853. (signed) *John D. Anderson.*

TABLE 7.

COMPARATIVE STATEMENT, showing the Amount of Sickness among the Convicts employed on Works at Her Majesty's Naval Establishments at *Ireland Island*, *Bermuda*, during the Months of April, May, June, July, and August of 1852 and 1853.

MONTH.	1852.		1853.		Per-centage of Sickness to Strength.	
	Number borne on last Day of each Month.	Number Sick on last Day of each Month.	Number borne on last Day of each Month.	Number Sick on last Day of each Month.	1852.	1853.
April - -	1,031	161	784	137	15·6	17·5
May - -	1,030	161	776	182	15·6	23·4
June - -	1,026	202	698	227	19·7	32·5
July - -	1,024	202	693	234	19·7	33·7
August -	1,019	192	686	233	18·8	34·0

No. 20.

ANSWERS of Colonel *Oakeley*.

Answers of Colonel Oakeley.

1. I ENTERED the army in the year 1836, having been appointed to the 56th Regiment of infantry, and I have served in that corps ever since. I have served with my regiment in Jamaica, Canada, Gibraltar, and Bermuda.

2. I have no former experience of what may be truly termed an epidemic visitation, but during my service in Jamaica I witnessed a great deal of yellow fever.

3. The first case I heard of, was that of the wife of private James Davis of the 56th Regiment. I did not, however, see her. She was taken ill on the 13th, and died on the 20th August 1853.

4. The case before mentioned originated at Paget Island. The house in which the woman lived is situated near to a stagnant pool. She had resided in this house since about the middle of November 1852, and seldom or ever left the house, except for the purpose of taking home clothes which she had washed. Her illness terminated fatally, but without black vomit.

5. Unanswered.

6. I have always been and still am of the opinion, that the late epidemic fever originated in this country. There was an unusual quantity of rain, which often fell early in the morning and was succeeded by great heat, and but little breeze. I am firmly of opinion that the noxious gases arising from the above causes, combined with electrical influence, originated the late epidemic fever.

7 to 11. Unanswered.

12. The dietary of the troops consists of a breakfast of tea and bread, a dinner of fresh meat on five days of the week, and of salt meat the remaining two days, and of an evening meal of tea and bread. Their mode of life is similar here to what it is elsewhere. The cubic space allotted to each man I am ignorant of, but it is far too small for a healthy condition. Soldiers on being attacked by sickness are at once sent to hospital.

13. There can be but little doubt that the exposure to the night air, to which a soldier is liable, must render him more susceptible of fever, or rather disease, than a person not so exposed.

14. Unanswered.

15. The occupation of either Fort George or Fort Victoria by troops is in my opinion wrong. They are damp and consequently they are unwholesome; added to this the privies emit a stench perfectly sickening, and the whole atmosphere is tainted by it. They are likewise overcrowded and overcrowding, combined with horrible smells, must affect troops or anything else unfavourably.

16. I have been stationed in St. George's from the 17th July 1851, to the 30th September 1853, since which I have been in quarters in Hamilton. I have been in command of the 56th Regiment since 16th May 1853.

17. The town of St. George is situated in a hollow open to the south. The Royal Barracks would be well situated were it not that they overlook the town,

Appendix.

Answers of Colonel Oakeley.

from which bad air must arise. Fort George is situated to the westward, and Fort Victoria, to the north of the town. The means of draining the town are numerous, barring the want of public spirit, and the absence of public spirit likewise prevents any precautions being taken to keep the small houses, lanes, or back-yards, as clean as they might be. The situation of the burial-ground is very central and very bad, and is surrounded by very dirty habitations. The slaughter-houses are situated opposite to Ordnance Island, and I should say the late Ordnance storekeeper must have found them a great nuisance.

If, as is, I fancy, well known, certainly believed, bad drainage, bad ventilation, and dirt, are likely to be productive of disease, then I am not aware of any place so adapted to engender, certainly to aggravate it, as the situation and condition of St. George's.

18. I cannot say what police regulations may exist respecting the night-soil in either town, but it strikes me it is left a good deal to its own resources, with apparently a roving commission to go where it pleases, for I generally meet it in most back lanes to a considerable extent.

19. Unanswered.

20. I give the distribution of the force in the command on the 1st August last including all ranks. It is, however, not a complete answer to the question, for I cannot get a return showing the number at each place in the command at that date. There were at St. George's, (exclusive of Forts George and Cunningham, Hen Island, and military prison) on the above date, as follows; viz.

Royal Artillery	104	
Royal Engineers	50	
56th Regiment	486	
		640
At Hamilton:		
56th Regiment		93
At Fort Cunningham:		
Royal Artillery	3	
56th Regiment	26	
		29
At Ireland Island:		
Royal Artillery	48	
Royal Engineers	48	
56th Regiment	315	
		411
At Ferry Point: 56th Regiment		4
At Prospect Hill: Royal Engineers		1
At Hen Island: Royal Artillery		1
At Boaz Island: 56th Regiment		41
At Fort George:		
Royal Artillery	3	
56th Regiment	53	
		56
In Military Prison:		
Royal Artillery	1	
56th Regiment	14	
		15
TOTAL		1,291

Including Officers, Serjeants, Drummers, and Rank and File.

21. The married families of the 56th Regiment who lodged in the town of St. George's, were placed under canvas in the Hospital Field. Several died; but I think they had contracted the disease previous to their removal, which took place on the 3d September. On, as well as I remember, this day I waited on Colonel Philpotts, the then acting governor, to ascertain to what extent camp equipage could be furnished, and was given to understand there was sufficient for 1,200 men. I was on the evening of the 12th September directed to move the men of the regiment stationed in the Royal Barracks to Ferry Point the next morning. I indented for tentage for 400 men, allowing five men to a tent, and I think 30 tents were all I could get. I however moved, and I am sure the change

change was very beneficial, for although many men returned to hospital, I feel certain they had contracted the disease before they moved.

22. The cubic space allotted to each convict, is more in the Boaz Island prison than the soldier has in Ireland Island barracks. The proportions being as 317 to 250 cubic feet.

23 to 27. Unanswered.

28. More rain fell, and the temperature was somewhat higher, with less breeze than in any previous year that I have been quartered here.

29 and 30. Unanswered.

31. I can give two extraordinary instances which occurred in the regiment whilst serving in Jamaica, in both of which the disease was not contagious. The first instance is mentioned in the Appendix to the Second Report on Quarantine, p. 342. Yellow fever of a very malignant form broke out amongst the men of a detachment of the regiment, consisting of 90 men and four officers at Chappleton. Every individual except one was attacked. To stay the disease the detachment was moved to Port Royal, and it ceased immediately. The company that relieved the Chappleton detachment was attacked; but the men from Chappleton brought no disease to the men at Port Royal. Again, a company of the regiment was stationed at Apostle's Battery, in sight of and about two miles distant from Fort Augusta, the then regimental head-quarters. There is no hospital at Apostle's Battery, and on a flag being hoisted there as a signal that a man was attacked by the fever, a boat was immediately sent from Fort Augusta, and the patient brought into the head-quarter hospital. All the men at Apostle's Battery were attacked, and brought into hospital, but no one at Fort Augusta had the fever.

32 and 33. Unanswered.

34. Under any circumstances, I should recommend the troops being encamped during the months of June, July, August, and September, during which time the vacated quarters could undergo a thorough cleansing and fumigating. Even in an encampment, I would never have more than 120 men, and I should frequently change their position.

35. The result invariably beneficial. Ireland Island is a case in point. Up to the 19th October the troops at that station had enjoyed comparative immunity from fever. On that day a telegraphic message informed me that fever cases were beginning to show themselves, and I directed each case as it occurred to be notified to me. On the 20th, 21st, 22d, and 23d the fever continued to increase. On the 24th I moved 100 men to Tucker's Island. The same evening a telegraphic message informed me cases still went into hospital. On the 25th I moved 50 more men, and I think I may say the fever was stopped. No man was attacked at Tucker's Island. One or two convalescents sent there from the Naval Hospital and Port's Island had relapses, but they did not infect any of the men from Ireland Island.

36. The best reply I can make to this question is to copy a portion of a paragraph from the "Second Report on Quarantine," p. 62: "While cities and countries in a bad sanitary state are sometimes devastated by pestilence, at other times their sanitary state remaining unchanged, these same cities and countries remain free from pestilence for indefinite periods, the intervals occasionally numbering many years, and then sometimes suddenly, but more frequently by slow and appreciable degrees, pestilence again returns, and rages with its former fury."

Why this is. Why conditions which sometimes act so powerfully, do not universally and invariably produce epidemic disease, is a problem yet to be solved. What is certain, however, and what is of the utmost practical importance, is that a bad sanitary condition is at all times attended with an excess of sickness and mortality, and that whenever epidemic diseases do prevail, they concentrate their violence in these unhealthy localities. Still the sanitary conditions as far as is apparent, remaining the same, epidemics return only periodically. It has been generally inferred, therefore, that for the development of that extraordinary amount of the same kind of disease simultaneously amongst great numbers of the population which constitutes an epidemic, there must be, besides the known conditions, the presence of some other condition as yet unknown; and hence these known conditions are commonly said to be not generating, but localizing causes; the unknown or real causes being, in our ignorance of their true nature, compared to poison clouds, which pass from city to city and

Appendix.

Answers of Colonel Oakley.

country to country, leaving and scattering poison germs, the seeds of pestilence, for the development of which the localizing conditions which have been described, afford the fitting and perhaps necessary nidus.

37 and 38. Unanswered.

(signed) *S. Oakeley,*
Lieut.-Colonel Commanding 56th Regiment.

Bermuda, 23 February 1854.

No. 21.

Answers of Captain *R. W. Lacy*, 56th Regiment.

Answers of Capt. R. W. Lacy.

1. I have been 21 years in the infantry of the line, during which period I have served four years in Jamaica, two in Canada, five at Gibraltar, two in Bermuda, and the remainder at home.

2. to 11. Unanswered.

12. The dietary of the troops consists of a daily ration of a pound of bread and a pound of meat, five days in each week; the meat ration is fresh beef; the remaining two, of salt pork. The meat is usually boiled, so as to make soup; this, with vegetables provided out of the soldiers' pay, but from the occasional scarcity in the market are sometimes insufficient, constitutes the soldier's dinner meal, and is served at one o'clock in the day. His breakfast, at seven in summer, and eight in winter, consists of bread and tea; and the evening meal, likewise of bread and tea, is served at five o'clock throughout the year. At this station, Ireland Island, the only licensed liquor stores are two small buildings, situate a short distance outside the fortifications; one of these is used as a canteen for the Sappers and Miners, the other for the troops of the line, where they are permitted to purchase for themselves a sufficient quantity of liquor, but only at stated periods, viz. for one hour from 12 noon until 1 o'clock, and a second period of an hour during the afternoon. In the casemate barrack, occupied by the troops of the line, the cubic space allotted to each man is 380 feet in the upper rooms, and 288 in the lower or ground floor; the greater space in the upper rooms arises from their being vaulted ceilings, and more lofty. Immediately on a soldier being attacked with any disease, he is removed to the naval hospital, about a mile distant from the garrison.

13. The duties of a soldier expose him to risks not necessarily incurred by others; he must mount his guard, and go on sentry, whether the weather be fair or foul; doubtless the frequent exposure to damp and wet on these occasions has a predisposing effect, and the night duties bringing him under the influence of any noxious or pestilential vapours with which the atmosphere may be charged, it ought not to create surprise should he be attacked with fever.

14. Unanswered.

15. The casemate barracks at Ireland Island, occupied by the troops of the line, consists in a long block of buildings, running from north-east to south-west, screened on the north-west and south-west by the fortifications, the walls of which on the south-west approach within nine feet, and rise to equal height with the building; a very imperfect ventilation is the consequence.

In a climate so remarkable as Bermuda for extreme humidity, a free circulation of the air, quite unattainable in the locality of this barracks, is absolutely necessary to a healthy state of the atmosphere; the ventilation of the building might, however, be improved by constructing chimneys, a measure already under consideration by the Engineer department. On the north-west, and adjacent to the barracks, is a privy for the accommodation of the non-commissioned officers and men, the ineffective drainage of which, arising from its faulty construction, and its being beyond the influence of the tides, cause the soil, after descending a large shaft, to accumulate at the foot of the walls of the fortifications, emitting gaseous exhalations of a most pernicious and offensive nature, which taint the atmosphere of the barrack. To the north-east is a building of a similar description for the officers, almost equally objectionable. A temporary building, standing

standing out from the walls, the communication with which is by means of a stage, is in course of construction for the non-commissioned officers and men; and its site having been chosen with a view to the soil being carried off by the flow of the tide, no doubt this object will be attained.

The naval hospital, where the sick of the garrison of Ireland Island are sent for treatment, stands on a small eminence, overlooking to the east a salt-water lake, and bounded on the north and south by the sea. To the westward, on another little elevation, stand the quarters of the deputy inspector, and other medical officers of the establishment. It is calculated to accommodate 80 patients, possesses every requisite convenience, and is highly eligible in every point of view.

16. I have been stationed at Ireland Island since the 1st September 1853, and have been in command of the garrison there since the 21st of the same month.

17. The soil is of a sandy nature. There is no town on Ireland Island. The few scattered buildings beyond the walls of the fortification are Government property, and occupied by persons in Government employ. The burial-ground skirts to the eastward the margin of the lake in the vicinity of the hospital, and is about three-quarters of a mile distant from the garrison. During the prevalence of the fever, a fetid odour, more remarkable in a humid state of the atmosphere, appeared to proceed from the lake before mentioned. In digging the graves, it was found necessary in some parts of the graveyard to perform the work at low tide, to avoid the inconvenience consequent on the flow of water, at a depth of two or three feet. Possibly the water filtering from the graves into the lake may have occasioned this noxious odour. At the time of the breaking out of the fever, a guard of a corporal and six privates were stationed in a guard-house at the western extremity of the island, furnishing two sentries, one within the hospital gates, the other on the banks of the lake, at the foot of the hill on which the hospital stands. It is worthy remark, that of 50 fever cases, originating amongst the troops of the line at Ireland Island, 16 were attacked whilst on, or soon after being relieved off. this guard, and of these, 12 died; the total number of deaths being 24. The total number of all ranks daily mounting guard at this station was, up to the 15th September, 51. This number was reduced by the sentries being discontinued from time to time, as the progress of the disease and the removal of portions of the troops rendered it necessary, until at length, with the concurrence of Deputy Inspector Hilditch, at first one, and shortly after the remaining sentry was withdrawn from the hospital.

18. & 19. Unanswered.

20. The number and description of force stationed at Ireland Island on the 7th September, the date on which the disease broke out, was as follows:

	Officers.	Non-Commissioned Officers and Men.
Royal Artillery, occupying the barracks in the Keep - -	1	47
Royal Engineers - - ditto - - ditto - - -	2	—
Royal Sappers and Miners, occupying a wooden building outside the walls of the fortifications - - - - -	- - -	46
56th Foot, occupying the casemate barracks - - -	8	295
TOTAL - - -	11	388

21. Mr. Ballingall, the naval storekeeper, having given up a portion of a large new building in the dockyard for the temporary accommodation of the troops, it was prepared for their reception, under direction of Mr. Anderson, the naval engineer; and on the 27th September, 80 non-commissioned officers and men were moved into it from the casemate barracks. A careful observation of the men, removing them to hospital on the first symptom of an attack, an unremitting attention to ventilation as far as practicable, together with whitewashing the rooms, and a constant cleaning of the drains, were additional precautions

Appendix.

Answers of Capt. R. W. Lacy.

taken to arrest the disease; but the number of cases augmenting, notwithstanding these measures, a further separation of the garrison was determined on by Major Oakeley, at the time Acting Governor. Accordingly, on the 24th October, one officer and 100 non-commissioned officers and men were removed to Tucker's Island; and on the 28th of the same month another officer and 50 more followed, a portion being accommodated in a house, and the remainder in tents. On the 11th November, two officers' rooms in the Commissioners' house at the Keep were temporarily appropriated as extra accommodation for the non-commissioned officers and men of the Royal Artillery, their barrack being considered too crowded.

22. to 25. Unanswered.

26. The east wind, with its usual attendant, extreme humidity and a high temperature, appeared most to favour the spread of the fever.

27. No.

28. I have understood the average temperature to have been higher and more rain to have fallen during the hot season of 1853 than is usual.

29. I observed that those attacked were generally persons of a plethoric habit of body.

30. Compared with Europeans, I understand the inhabitants of the colony to have suffered but little from the late epidemic. The disease seems to have attacked equally males and females, adults and children; but amongst the coloured population there appears to have been but few cases.

31. I am of opinion yellow fever can be communicated either by direct contact with the person suffering from it, or with the dead body of one who had died of it. I am not aware of any positive evidence of its having been communicated by means of articles, or dress, or bedding; but conceiving it a necessary precaution, avoided the danger of such communication as far as practicable.

32. Unanswered.

33. I am not aware of any means of prevention having been discovered; but I would suggest that steps be taken with a view to a perfect drainage of the towns, that the streets be kept in a wholesome state of cleanliness, and that the dwellings of the lower orders should be put under such surveillance as would prevent crowding, or accumulation of any kind calculated to produce malaria.

34. Immedate removal from the locality.

35. Of the two officers and 150 non-commissioned officers and men removed from Ireland to Tucker's Island, in the latter end of October, not one was attacked with fever; but the daily proportion of cases in regard to the members of the remaining force, showed no diminution for nearly a month after, and the disease appeared to gain in intensity, and become more virulent.

I find, on further inquiry, that three slight cases of fever occurred at Tucker's Island about three weeks after the arrival at that station, but they all recovered after a short illness.

36. Unanswered.

37. No.

38. On the evacuation of the general hospital at St. George's on the 30th September, 24 of the most severe cases of fever were sent from that establishment to Ireland Island; a party of the five assisting to land and convey the patients to the naval hospital, several of the men employed on this duty were attacked with the disease and died, and from this moment it appeared to gain ground in the casemate barrack occupied by the 56th. During the period of the epidemic, of the Royal Artillery occupying the Keep, two officers and five non-commissioned officers and men were attacked; of whom, one officer and one non-commissioned officer died; but of the whole number, only one non-commissioned officer and two men may be said to have taken the fever at Ireland Island; and the non-commissioned officer who died of it, was attacked some time after his admission to hospital with a sprain. The two officers, and other non-commissioned officer and man, had been at St. George's, where it may reasonably be supposed they contracted the disease. Of the Royal Sappers and Miners occupying the wooden building outside the fortifications, five non-commissioned officers and men were attacked, all of whom recovered. I view the comparative exemption from the disease of these two corps as a striking evidence of the advantages they enjoyed in the superior ventilation of their barracks. If it be considered that the large number of convicts employed on the public works at Ireland Island renders imperative

imperative the presence of so considerable a portion of the military force in the country as at present occupies the post, I would suggest the building of temporary barracks outside the fortifications, as a means of avoiding crowding the casemate, and the danger of disease arising therefrom. I would recommend some improvement in the construction of the officers' and men's privies, as a means of preventing further evil consequences, which may reasonably he supposed to arise from the accumulation of night-soil.

The erection of buildings for the accommodation of the families of the married soldiers is absolutely necessary; the sheds which they formerly occupied being now, from their dilapidated condition, quite uninhabitable. They have been temporarily lodged in one of the unfinished workshops of the dockyard, but when it shall become necessary for them to vacate this building, they will absolutely be without a roof to shelter them.

I would further suggest that a canteen be built within the fortifications, for supplying the troops with liquors, &c., under the established regulations; the present system, which affords them only two opportunities for periods of an hour each during the whole course of the day, for procuring drink of any kind, and away from their barracks, is most inconvenient and objectionable.

Finally, the wooden building occupied as a barrack by the Royal Sappers and Miners is quite unfit to be inhabited during the rainy season; the roof admits the water to such an extent as to oblige the troops to remove their bedding, and their exemption from sickness during the period of the epidemic can only be attributed to the salubrity of the locality, arising from a free ventilation.

(signed) *R. W. Lacy*,
Captain 56th Regiment.

No. 22.

Answers of Captain *H. A. White*, Royal Engineers.

1. Sixteen years in the corps of Royal Engineers, in Canada and Bermuda.
2. Very slight; during the prevalence of cholera in England in 1849.
3. About the 3d September last.
4. At St. George's. Ended fatally.

5 to 15. (Medical).

16. Never stationed at St. George's. At Ireland Island two years, since December 1851; in command of the 21st company Royal Sappers and Miners the whole of 1853.

17. The soil to be found in these islands appears to be decayed vegetable matter collected in the valleys, of a very prolific nature. The town of St. George's is a dirty, ill-ventilated, ill-constructed place, lying in a hollow beneath the barracks and forts. The means of drainage do not exist, by reason of the greater portion being nearly on a level with the sea. I consider it would be a difficult task to effect this properly, and from the observations I have made at various times, I consider the town particularly suited to aggravate a tropical epidemic. The above remarks do not apply to Ireland Island generally, but the dockyard presents in one or two instances favourable objects for attracting a disease of this nature, from the offensiveness of a privy used by the workmen, and the quantity of decayed wood lying about, the proceeds of the hulk "Coromandel."

18. (Local.)
19. (Historic.)
20. (Barrack Master.)
21. (Naval.)

22 to 24. (Convict.)

25 and 26. (Medical.)
27 and 28. (Historic.)

29 to 37. (Medical.)

38. (None.)

(signed) *H. A. White*,
9 January 1854. Captain Royal Engineers, Commanding.

Appendix.

No. 23.

ANSWERS of Captain *Jervis*, R.N., Deputy Superintendent of Convicts.

Answers of Capt. Jervis, R.N.

1. THIRTY-SIX years in Her Majesty's naval service.

2. Little or none.

3. The first case which came under my observation was the prisoner, Robert Hall, who died on board the "Thames" hulk, on the 16th August 1853, and from the appearance of the body after death, I considered it was a case of yellow fever, although denied as such by the medical officers.

4 to 7. Unanswered.

8. Yes. Three instances in my own family, where three of my servants were attacked (one of whom died) when in attendance on my eldest daughter; and further, I consider that it was communicated to my two children from the "Tenedos" hospital, when she was swung broadside to the southerly wind, and carried to my house, as my children were attacked in the only two rooms facing the vessel, where they slept.

9 to 14. Unanswered.

15. The "Tenedos" hospital I consider as too near the prison establishment at Boaz Island, for my reasons as stated in No. 8; and further, I consider it was endangering the lives of those living on Boaz Island that fever convalescents should be sent to occupy Prison B.; and on the prisoners in a body requesting me to apply to the Governor on the subject (as there was a great panic amongst them), I did so, to his Honour Major Byles, and suggested that Tucker's Island should be used for that purpose, as Mr. Tucker had offered it to the Government; but on this being referred to the medical superintendent, he objected to it, considering the prison B. best.

16. I have been stationed at Ireland and Boaz Island as deputy-superintendent of convicts, from February 1850.

17. The burial-ground of the convicts communicates by a bridge to Boaz Island, and on the epidemic assuming a more malignant form on board the "Tenedos," as well as effluvia from the burying-ground, I suggested the propriety of putting quick-lime into the coffins, and raising the ground three feet with mould and quick-lime over the graves, which was done, and which was reported to the Secretary of State; but I consider Watford's Island a bad place for the burial-place from the porous nature of the soil, which since the above precautions being taken, has not kept in the effluvia from the graves, which will also be detrimental to the body of prisoners on this island, if a break-out of fever occurs this summer.

18. The night-soil here is carried by drains daily sluiced to the sea (Boaz Island).

19. We are now told that fever cases were prevalent here in July last, but no one connected with this establishment on shore were aware of any cases until after the removal of 15 convalescents from the "Thames," which caused the greatest possible excitement and panic amongst the prisoners here, especially after the guard (Hans) was attacked the next day in a most malignant form, he having brought them up.

20. Unanswered.

21. On the 29th August, when a fever (reported to the Acting Governor, Colonel Phillpotts, as not being yellow fever) had very much increased on board the "Thames," I suggested the propriety of his applying to Mr. Ballingall for the "Weymouth" being sent down to place the healthy prisoners on board her, which application was made; but in consequence of the "Weymouth" not being fitted with a rudder, the "Cassius" was sent on the 30th, when those removed to her (anchored in the harbour) were not attacked; so soon as the "Weymouth" was ready she was removed to St. George's, where she arrived on the 5th September, and all the sick removed from the "Thames" to her, except a few incapable of being removed. But the impression on my mind was that the cases were yellow fever, and in this opinion others coincided.

22. The dietary of the convicts in summer, fresh meat four times per week, salt meat the other three days, with bread, vegetables, rice, cocoa, tea, sugar, and half a gill of rum a man. They lead a regular life, and work eight hours *per diem* all the year round, and are withdrawn when it rains. With respect to Boaz

Boaz Island, the cubic space allotted to each man is 317½ cubic feet. Sick are sent to the "Tenedos" hospital, and there separated from the healthy. They occupy hulks at St. George's and Ireland Island, and the prisons here. Their winter diet is fresh meat three times per week, and salt pork the other four days.

23. The dietary the same on board the other hulks, and in all respects the same as Boaz Island.

The number of cubic feet on board the "Medway" and "Thames" is * in the former, and * feet in the latter.

* So in copy.

Cannot be correctly ascertained.

24. Nine years. I consider her position a very bad one for free ventilation, being always aground and lying under a high cliff.

25. Unanswered.

26. It appeared to increase more when we had the wind from the eastward and southward.

27. Unanswered.

28. The temperature was higher in 1853 than usual, more especially about the time the comet was seen, and I experienced a very sickening smell from the sea water, which I do not remember from my arrival in 1850, which frequently gave me an inclination to vomit. There was also a greater quantity of rain than usual.

29 & 30. Unanswered.

31. Answered in No. 8, according to my opinion.

32. Unanswered.

33. Dispersion and separation.

34. The same as No. 33.

35. Yes; separation did arrest it.

36 to 38. Unanswered.

(signed) *W. W. Jervis*, Captain, R.N.,
Deputy Superintendent of Convicts.

No. 24.

ANSWERS of *W. Tucker*, Esq., Barrack Master.

1. I HAVE been 34 years in Her Majesty's service as barrack-master at Bermuda, and not off the island for the last 31 years.

2. I was in Bermuda during the prevailing yellow fever in 1819, which was very fatal, more particularly to Europeans and other transient persons. I do not recollect how the troops were then affected.

I was also present during the fever of 1843, which was very fatal to the troops, but not so much so to other persons as that in 1819.

I was also present during the late yellow fever in 1853. That was of a much more malignant kind than either of the preceding, and the mortality much greater.

3 to 5. Unanswered.

6. My opinion is, that in every instance of yellow fever in Bermuda it was imported from the West Indies.

7. Unanswered.

8. I do think it is communicable. I was first led to form that opinion by seeing a man who died of yellow fever (the first case, I think, in 1843) in a house in which I was informed a sailor boy had died not long before of fever, he having been brought on shore from a vessel from the West Indies while ill, and taken to that house. Perhaps the man I saw might have slept in the bed that the boy had died on.

9 to 15. Unanswered.

16. I have been stationed at St. George's the whole period of my service, and frequently visited the out-stations during that time on duty as barrack-master.

17. The soil is of a light and sandy nature, retaining moisture but a very short time. The town of St. George's is situated somewhat in a valley; the Royal Barracks on a hill to the north-east of it, a very short distance off, and Fort George on a higher hill to the westward. There are no drains in the town, nor any stagnant water in its vicinity. I consider there is not sufficient

Appendix.

Answers of W. Tucker, Esq

precaution taken to keep the small houses, lanes, and back-yards clean. There is no place of public deposit for the sweepings of yards and other rubbish; such a place is much needed. The established burying-ground for the inhabitants is the churchyard, about the centre of the town. There is one slaughter-house belonging to the contractor for the supply of fresh meat to the troops; it is situated on one of the wharves in the town; it is kept very clean, and not offensive. I think it likely there are about five oxen a week slaughtered there. Not many pigs, I think, are kept in the town.

18 The night-soil is deposited in privies, which are occasionally emptied, but perhaps not as often as they should be, and in some places are offensive, in summer particularly.

19. Until about the year 1812, when the population became considerably increased by strangers from the West Indies and other places, no part of the world was more healthy, I believe, than Bermuda generally.

20. The number of soldiers in barracks at the time were—

In the Royal Barracks - - - - - -	330	
„ Fort Victoria - - - - - - -	110	
„ Fort Albert - - - - - - -	30	
„ Fort Catherine - - - - - - -	20	
„ Fort George - - - - - - -	60	
„ Fort Cunningham - - - - - -	30	
„ Regimental hospital - - - - - -	40	patients.
„ Ordnance hospital - - - - - -	16	patients.
„ Sappers' barracks - - - - - -	40	

The military force at St. George's, when the disease broke out, were infantry occupying barracks, except some married soldiers who lived with their wives in private lodgings in the town.

21 to 23. Unanswered.

24. The convict hulk "Thames" was placed close to the shore, resting on the bottom, and communicating by a short stage with the shore. I do not think her position was a good one in a sanitary point of view, the high ground near her preventing a free circulation of air.

25. None whatever.

26 to 29. Unanswered.

30. The inhabitants seem more exempt from yellow fever than Europeans, or other persons from cold climates. The coloured persons seem to have it more mildly than the whites.

31. I doubt the mere touch of the person communicating the disease, but I think the effluvia from a dead body, or foul clothing or bedding, likely to impart it.

32. I do not think it likely to be so produced.

33 and 34. Unanswered.

35. The separation of the force seems to have arrested in a great measure the spread of the disease.

36. Because the climate is generally so healthy.

37. I do not know.

38. I can give no further information, or offer any suggestions on the subject.

(signed) *Wm. Tucker*, Barrack-master.

No. 25.

Answers of Mr. *J. B. Howes*, Acting Overseer, "Thames" Hulk.

Answers of Mr. J. B. Howes.

1. Twenty years in the Convict department, Bermuda.

2. Had the fever at the Royal Naval Hospital in 1837. Served in the "Antelope" hulk, at St. George's, all through the fever of 1843, and was ordered to join the "Thames" on the 29th August 1853. There were 60 cases of fever on board.

3. When I took command of the "Thames," at the above date, the epidemic being at its height.

4. As the ship was full of disease, and consequently of infection, and some of the cases had terminated fatally before that time, I have no doubt that the above cases

cases originated on board. Several of the number died, and many of them with black vomit.

5. My duties were confined to using my utmost endeavours to contribute to the comfort and alleviate the sufferings of the sick and convalescent.

6. I am of opinion that the disease was imported, but I am not in a position to enable me to trace it minutely. There is every probability that the lady who died on board the "Merlin," and was buried in St. George's, died from yellow fever, as the steamer came from an infected port; and it is farther probable that she was known to have done so, from the fact that her infant was sent on shore in a grown-up person's garments, its own and mother's having been thrown overboard, according to the report of the person who brought it on shore. I would also draw the attention of the Commission to the facts that the ships "Dauntless," "Highflyer," and "Scorpion," whose crews had suffered terrifically from yellow fever in the West Indies, arrived, and two of them were admitted into the "Camber" in Her Majesty's dockyard some time before; that the men belonging to them landed and walked about the dockyard before their hair had re-grown after the fever, where prisoners were continually passing and employed; that the seamen and dockyard labourers, who were working with prisoners, had access to and used the same privy; that clothing belonging to officers who had died on board these ships of the yellow fever in the West Indies was sold by public auction at the dockyard, and some of those clothes were purchased and worn by guards serving in the hulk which I commanded, some of whom have since died of the epidemic. I am of opinion, from these and other circumstances, that the fever originated in Bermuda, at the dockyard, and that it was communicated to the "Thames" at St. George's, through the hospital ship "Tenedos," by the return of patients.

7. The same becoming only more decided the more my attention has been directed to the subject.

8. Undoubtedly communicable. Every instance of an attack is an instance of such communication. With scarcely an exception, every healthy man that volunteered from Boaz Island as a nurse for the "Thames" was struck, and several of them died.

9. I know no circumstances in which I do not think it may be communicated.

10. I beg to refer to my answer to No. 6.

11 to 15. Unanswered.

16. I refer to my previous answer to Nos. 2 and 3.

17 to 20. Unanswered.

21. So far as the convicts are concerned, the healthy were separated from the sick, and removed on board the "Cassius" on the 30th August. On the 4th September the sick and convalescents were all removed from the "Thames," and transferred to the "Weymouth," and the soiled bedding, blankets, clothing. &c. were all destroyed.

22. Abstract of the Victualling of one Convict every Day in the Week:

DAY.	BREAD.	BISCUIT.	COCOA.	SUGAR.	SALT PORK.	FRESH BEEF.	RICE.	VEGETABLES.	RUM.
	Lb.	*Lb.*	*Oz.*	*Oz.*	*Lb.*	*Lb.*	*Oz.*	*Oz.*	*Gill.*
Monday	-	1	¾	1½	½	-	4	-	½
Tuesday	1¼	-	¾	1½	-	1	–	8	½
Wednesday	1¼	-	¾	1½	½	-	4	-	½
Thursday	1¼	-	¾	1½	½	-	4	-	½
Friday	1¼	-	¾	1½	-	1	–	8	½
Saturday	1¼	-	¾	1½	-	1	–	8	½
Sunday	1¼	-	¾	1½	-	1	–	8	½

The sick only get ¾ lb. beef.

The dietary of the convicts is regulated according to the Government scale, which I annex. The space allowed to each man within the open cell, and exclusively of the central passage, which is also open, is as nearly as can be arrived at, under the variety of circumstances, from 190 to 200 cubical feet. When the men are taken sick they are separated from the healthy, and placed in a portion of the main deck, called a sick bay. Generally speaking, they are

Appendix.

Answers of Mr. J. B. Howes.

divided between the gun-deck and orlop deck of the hulk. During the day they have free access when on board to the spar-deck also.

23. The above particulars, in answer to No. 22, are all intended to apply specially to the "Thames."

24. A convict hulk has been lying in the late position of the "Thames" for upwards of 20 years. The "Antelope" was sent there in September 1833, and the "Thames" replaced her in 1844. I think the position chosen for these ships was not by any means a good one, though I should not be justified in saying that it was calculated, or ever did originate disease in either of them.

25 to 30. Unanswered.

31. I refer to my former answer, No. 8.

32. Unanswered.

33. Separating the sick from the healthy, and keeping them separate.

34. I refer to my last answer, No. 33. The earlier the stage at which measures are taken for this purpose, in all cases, I believe the better.

35. I observed that there was a diminution in the virulence and fatality of the disease as soon as such separation was effected at St. George's, last autumn.

36 to 38. Unanswered.

(signed) *J. B. Howes*,
Acting Overseer, "Thames" Hulk.

St. George's, Bermuda,
18 February 1854.

"THAMES" HULK.

STATEMENT of the Establishment and Convicts, showing the Number Borne, Sick, and Died, &c. &c., from the 1st July to the 31st December 1853.

DATE.	ESTABLISHMENT.								CONVICTS.		
			Doing Duty at			Died.					
	Number Borne.	Number Sick.	Thames.	Cassius.	Weymouth.	Thames.	Cassius.	Weymouth.	Number Borne.	Number Sick.	Number Died.
1853:											
1 July	21	–	–	–	–	–	–	–	216	16	–
2 – –	21	–	–	–	–	–	–	–	216	13	–
3 – –	21	–	–	–	–	–	–	–	216	13	–
4 – –	21	–	–	–	–	–	–	–	216	16	–
5 – –	21	–	–	–	–	–	–	–	216	26	–
6 – –	21	–	–	–	–	–	–	–	216	22	–
7 – –	21	–	–	–	–	–	–	–	216	22	–
8 – –	21	–	–	–	–	–	–	–	217	19	–
9 – –	21	–	–	–	–	–	–	–	217	18	–
10 – –	21	–	–	–	–	–	–	–	217	18	–
11 – –	21	–	–	–	–	–	–	–	217	20	–
12 – –	21	–	–	–	–	–	–	–	217	18	–
13 – –	21	–	–	–	–	–	–	–	217	21	–
14 – –	21	–	–	–	–	–	–	–	217	19	–
15 – –	21	–	–	–	–	–	–	–	217	21	–
16 – –	21	–	–	–	–	–	–	–	217	17	–
17 – –	21	–	–	–	–	–	–	–	217	20	–
18 – –	20	–	–	–	–	–	–	–	217	22	–
19 – –	20	–	–	–	–	–	–	–	217	21	–
20 – –	20	–	–	–	–	–	–	–	216	26	–
21 – –	20	–	–	–	–	–	–	–	216	25	–
22 – –	20	–	–	–	–	–	–	–	216	28	–
23 – –	20	–	–	–	–	–	–	–	216	22	–
24 – –	20	–	–	–	–	–	–	–	216	23	–
25 – –	20	–	–	–	–	–	–	–	216	27	–
26 – –	20	–	–	–	–	–	–	–	216	21	–
27 – –	20	–	–	–	–	–	–	–	216	28	–
28 – –	20	–	–	–	–	–	–	–	216	32	–
29 – –	20	–	–	–	–	–	–	–	215	29	–
30 – –	20	–	–	–	–	–	–	–	215	27	–
31 – –	20	–	–	–	–	–	–	–	215	27	–
1 August	20	–	–	–	–	–	–	–	215	27	–
2 –	20	–	–	–	–	–	–	–	215	28	–
3 –	20	–	–	–	–	–	–	–	215	30	–

DATE.	ESTABLLISHMENT.								CONVICTS.		
			Doing Duty at			Died.					
	Number Borne.	Number Sick.	Thames.	Cassius.	Weymouth.	Thames.	Cassius.	On Shore.	Number Borne.	Number Sick.	Number Died.
1853:											
4 August -	20	–	–	–	–	–	–	–	215	31	–
5 – -	20	–	–	–	–	–	–	–	215	27	–
6 – -	20	–	–	–	–	–	–	–	215	22	–
7 – -	20	–	–	–	–	–	–	–	215	23	–
8 – -	20	–	–	–	–	–	–	–	215	21	–
9 – -	20	–	–	–	–	–	–	–	215	27	–
10 – -	20	–	–	–	–	–	–	–	215	36	–
11 – -	20	–	–	–	–	–	–	–	215	25	–
12 – -	20	–	–	–	–	–	–	–	214	20	–
13 – -	20	–	–	–	–	–	–	–	214	19	–
14 – -	20	–	–	–	–	–	–	–	214	20	–
15 – -	21	–	–	–	–	–	–	–	214	23	–
16 – -	21	–	–	–	–	–	–	–	214	27	1
17 – -	21	–	–	–	–	–	–	–	213	28	–
18 – -	18	3	15	–	–	–	–	–	213	26	–
19 – -	18	3	15	–	–	–	–	–	213	29	–
20 – -	18	3	15	–	–	–	–	–	213	26	–
21 – -	18	3	15	–	–	–	–	–	213	26	–
22 – -	18	3	15	–	–	–	–	–	213	34	–
23 – -	18	3	15	–	–	–	–	–	213	42	–
24 – -	18	3	15	–	–	–	–	–	213	40	–
25 – -	18	2	15	–	–	1	–	–	213	39	1
26 – -	16	3	13	–	–	–	–	–	213	35	2
27 – -	16	8	8	–	–	–	–	–	211	45	–
28 – -	16	8	8	–	–	–	–	–	210	56	–
29 – -	16	8	8	–	–	–	–	–	210	64	–
30 – -	17	8	9	–	–	–	–	–	210	74	–
31 – -	17	8	5	3	–	–	–	1	210	93	1
1 September	14	5	4	3	–	–	–	2	209	100	3
2 – -	14	6	5	3	–	–	–	–	207	108	7
3 – -	14	6	5	3	–	–	–	–	200	114	5
4 – -	13	6	3	3	–	–	–	1	195	120	6
5 – -	14	6	5	3	–	–	–	–	202	112	8
6 – -	19	6	3	3	7	–	–	–	194	120	2
7 – -	19	6	2	3	8	–	–	–	192	92	3
8 – -	20	7	2	2	9	–	–	–	189	90	4
9 – -	20	7	2	2	9	–	–	–	185	85	5
10 – -	20	7	2	2	9	–	–	–	180	80	3
11 – -	20	7	2	2	9	–	–	–	177	50	3
12 – -	20	7	2	2	7	–	–	–	174	47	–
13 – -	20	9	2	2	7	–	–	–	174	48	3
14 – -	21	10	2	2	6	–	1	–	171	53	–
15 – -	20	10	2	2	6	–	–	–	171	52	–
16 – -	20	10	2	2	6	–	–	–	171	46	–
17 – -	20	11	2	2	5	–	–	–	171	40	–
18 – -	20	10	2	2	5	–	1	–	170	40	1
19 – -	19	10	2	2	5	–	–	–	169	39	–
20 – -	18	5	2	2	9	–	1	–	169	37	1
21 – -	18	5	2	2	9	–	–	–	168	27	–
22 – -	18	4	2	2	10	–	–	–	151	25	1
23 – -	18	4	2	2	10	–	–	–	151	21	–
24 – -	17	3	2	2	10	–	–	–	150	18	1
25 – -	17	3	2	2	10	–	–	–	150	18	–
26 – -	17	3	2	2	10	–	–	–	150	21	–
27 – -	17	3	2	2	10	–	–	–	150	15	1
28 – -	17	3	2	2	10	–	–	–	149	16	–
29 – -	17	3	2	2	10	–	–	–	149	15	–
30 – -	17	3	2	2	10	–	–	–	149	17	–
1 October -	16	1	2	2	11	–	–	–	149	10	–
2 – -	16	1	2	2	11	–	–	–	145	9	–
3 – -	16	1	2	2	11	–	–	–	145	13	–
4 – -	16	1	2	2	11	–	–	–	144	7	1
5 – -	16	1	2	2	11	–	–	–	144	12	–
6 – -	16	1	2	2	11	–	–	–	142	7	–
7 – -	16	1	2	2	11	–	–	–	142	11	–
8 – -	16	1	2	2	11	–	–	–	142	5	–

Appendix.

Answers of Mr. J. B. Howes.

DATE.	ESTABLISHMENT.								CONVICTS.		
			Doing Duty at			Died.					
	Number Borne.	Number Sick.	Thames.	Cassius.	Weymouth.	Thames.	Cassius.	Weymouth.	Number Borne.	Number Sick.	Number Died.
1853:											
9 October	16	1	2	2	11	–	–	–	142	5	–
10 –	16	1	2	2	11	–	–	–	142	11	–
11 –	16	1	2	2	11	–	–	–	142	8	–
12 –	17	–	2	2	13	–	–	–	142	13	–
13 –	17	–	2	2	13	–	–	–	142	9	–
14 –	4	–	–	–	4	–	–	–	6	–	–
15 –	4	–	–	–	4	–	–	–	6	–	–
16 –	4	–	4	–	–	–	–	–	6	–	–
17 –	4	–	4	–	–	–	–	–	6	–	–
18 –	4	–	4	–	–	–	–	–	6	–	–
19 –	4	–	4	–	–	–	–	–	6	–	–
20 –	4	–	4	–	–	–	–	–	5	–	–
21 –	4	–	4	–	–	–	–	–	5	–	–
22 –	4	–	4	–	–	–	–	–	5	–	–
23 –	4	–	4	–	–	–	–	–	5	–	–
24 –	4	–	4	–	–	–	–	–	5	–	–
25 –	4	–	4	–	–	–	–	–	5	–	–
26 –	4	–	4	–	–	–	–	–	5	–	–
27 –	4	–	4	–	–	–	–	–	5	–	–
28 –	4	–	4	–	–	–	–	–	5	–	–
29 –	4	–	4	–	–	–	–	–	5	–	–
30 –	4	–	4	–	–	–	–	–	5	–	–
31 –	4	–	4	–	–	–	–	–	5	–	–
1 November	4	–	4	–	–	–	–	–	5	–	–
2 –	4	–	4	–	–	–	–	–	5	–	–
3 –	4	–	4	–	–	–	–	–	5	–	–
4 –	4	–	4	–	–	–	–	–	5	–	–
5 –	4	–	4	–	–	–	–	–	5	–	–
6 –	4	–	4	–	–	–	–	–	5	–	–
7 –	4	–	4	–	–	–	–	–	5	–	–
8 –	4	–	4	–	–	–	–	–	5	–	–
9 –	4	–	4	–	–	–	–	–	5	–	–
10 –	4	–	4	–	–	–	–	–	5	–	–
11 –	4	–	4	–	–	–	–	–	5	–	–
12 –	4	–	4	–	–	–	–	–	5	–	–
13 –	4	–	4	–	–	–	–	–	5	–	–
14 –	4	–	4	–	–	–	–	–	5	–	–
15 –	4	–	4	–	–	–	–	–	5	–	–
16 –	4	–	4	–	–	–	–	–	5	–	–
17 –	4	–	4	–	–	–	–	–	5	–	–
18 –	5	–	5	–	–	–	–	–	25	–	–
19 –	5	–	5	–	–	–	–	–	25	–	–
20 –	6	–	6	–	–	–	–	–	25	–	–
21 –	6	–	6	–	–	–	–	–	25	–	–
22 –	6	–	6	–	–	–	–	–	25	–	–
23 –	6	–	6	–	–	–	–	–	25	–	–
24 –	6	–	6	–	–	–	–	–	25	–	–
25 –	6	–	6	–	–	–	–	–	25	–	–
26 –	6	–	6	–	–	–	–	–	25	–	–
27 –	6	–	6	–	–	–	–	–	25	–	–
28 –	6	–	6	–	–	–	–	–	25	–	–
29 –	6	–	6	–	–	–	–	–	25	–	–
30 –	6	–	6	–	–	–	–	–	25	–	–
1 December	6	–	6	–	–	–	–	–	25	–	–
2 –	6	–	6	–	–	–	–	–	25	–	–
3 –	6	–	6	–	–	–	–	–	25	–	–
4 –	6	–	6	–	–	–	–	–	24	–	–
5 –	8	–	8	–	–	–	–	–	25	–	–
6 –	8	–	8	–	–	–	–	–	25	–	–
7 –	8	–	8	–	–	–	–	–	25	–	–
8 –	8	–	8	–	–	–	–	–	25	–	–
9 –	8	–	8	–	–	–	–	–	25	–	–
10 –	8	–	8	–	–	–	–	–	25	–	–
11 –	8	–	8	–	–	–	–	–	25	–	–
12 –	8	–	8	–	–	–	–	–	25	–	–
13 –	8	–	8	–	–	–	–	–	25	–	–

DATE.	ESTABLISHMENT.								CONVICTS.		
	Number Borne.	Number Sick.	Doing Duty at			Died.			Number Borne.	Number Sick.	Number Died.
			Thames.	Cassius.	Weymouth.	Thames.	Cassius.	Weymouth.			
1853:											
14 December	8	–	8	–	–	–	–	–	25	–	–
15 – –	8	–	8	–	–	–	–	–	25	–	–
16 – –	8	–	8	–	–	–	–	–	25	–	–
17 – –	8	–	8	–	–	–	–	–	25	–	–
18 – –	8	–	8	–	–	–	–	–	25	–	–
19 – –	8	–	8	–	–	–	–	–	25	–	–
20 – –	8	–	8	–	–	–	–	–	25	–	–
21 – –	8	–	8	–	–	–	–	–	25	1	–
22 – –	8	–	8	–	–	–	–	–	25	1	–
23 – –	8	–	8	–	–	–	–	–	25	1	–
24 – –	8	–	8	–	–	–	–	–	25	–	–
25 – –	8	–	8	–	–	–	–	–	25	–	–
26 – –	8	–	8	–	–	–	–	–	25	1	–
27 – –	8	–	8	–	–	–	–	–	25	2	–
28 – –	8	–	8	–	–	–	–	–	25	2	–
29 – –	8	–	8	–	–	–	–	–	25	1	–
30 – –	8	–	8	–	–	–	–	–	25	–	–
31 – –	8	–	8	–	–	–	–	–	25	–	–

Memorandum.—Bedding, clothing, &c. burnt on the beach, 6th September 1853.

(signed) *B. Howes,*
Acting Overseer.

"Thames" Hulk, Bermuda, 22 April 1854.

STATEMENT of Mr. *Thomas Pearce*, Quartermaster of the Hulk "Thames."

I HAVE been quartermaster on board the "Thames" hulk for the last three years, and I was on board of her the whole time the fever raged in 1853. I know that the sanitary precautions directed by the Governor's letter in 1848 were, up to the time the sickness began, in August, regularly observed. I was in the "Coromandel," in the naval yard, in the fever of 1843. From the experience I had at that time, I am quite of opinion that Robert Hall (a convict who died on the "Thames" on the 16th) died of yellow fever. There were many cases on board when Mr. Howes took charge of her. I had charge of the "between decks," and I know she was clean, and that every precaution was taken down te the time the fever began to preserve health. No prisoner had been confined in the black-hole for more than a few hours for some time previous to the commencement of the fever (a month or more). I have no reason to believe that the fever was caused by the employment of the convicts between decks, or by any other work they had to do. In the gale of wind in August the position of the hulk was changed about six feet more in-shore; she worked a great deal during the gale. The mud and filth which surrounded the hulk was often cleared away, and was so in the last spring; there was less of it at the time of the gale than at former periods. The men who were attacked by fever were for the most part those of good behaviour and character. During the months of June and July several of the convicts were severely attacked with cholera. I remember no change of prisoners or guards for some time previous to the outbreak of the fever. There was no frequent intercourse between the "Thames" and Boaz Island; perhaps about once a week a boat would come for the sick, or on other duty. When the fever became so bad, the sick-bay was overcrowded, and the patients had to lie along the decks.

Appendix.

Answers of Mr. J. B. Howes.

STATEMENT of the Establishment and Convicts, showing the Number Borne, Sick, and Died, &c. &c., from the 18th August to 13th October 1853.

DATE.	ESTABLISHMENT.								CONVICTS.		
	Number Borne.	Number Sick.	Doing Duty at			Died.			Borne.	Sick.	Died.
			Thames.	Cassins.	Weymouth.	Thames.	Weymouth.	On Shore.			
1853:											
18 August	18	3	15	–	–	–	–	–	213	26	–
19 –	18	3	15	–	–	–	–	–	213	29	–
20 –	18	3	15	–	–	–	–	–	213	26	–
21 –	18	3	15	–	–	–	–	–	213	26	–
22 –	18	3	15	–	–	–	–	–	213	34	–
23 –	18	3	15	–	–	–	–	–	213	42	–
24 –	18	3	15	–	–	–	–	–	213	40	–
25 –	18	2	15	–	–	1	–	–	213	39	1
26 –	16	3	13	–	–	–	–	–	213	35	2
27 –	16	8	8	–	–	–	–	–	211	45	–
28 –	16	8	8	–	–	–	–	–	210	56	–
29 –	16	8	8	–	–	–	–	–	210	64	–
30 –	17	8	9	–	–	–	–	–	210	74	–
31 –	17	8	5	3	–	–	–	1	210	93	1
1 September	14	5	4	3	–	–	–	2	209	100	3
2 –	14	6	5	3	–	–	–	–	207	108	7
3 –	14	6	5	3	–	–	–	–	200	114	5
4 –	13	6	3	3	–	–	–	1	195	120	6
5 –	14	6	5	3	–	–	–	–	202	112	8
6 –	19	6	3	3	7	–	–	–	194	120	2
7 –	19	6	2	3	8	–	–	–	192	92	3
8 –	20	7	2	2	9	–	–	–	189	90	4
9 –	20	7	2	2	9	–	–	–	185	85	5
10 –	20	7	2	2	9	–	–	–	180	80	3
11 –	20	7	2	2	9	–	–	–	177	50	3
12 –	20	7	2	2	9	–	–	–	174	47	–
13 –	20	9	2	2	7	–	–	–	174	48	3
14 –	21	10	2	2	6	–	1	–	171	53	–
15 –	20	10	2	2	6	–	–	–	171	52	–
16 –	20	10	2	2	6	–	–	–	171	46	–
17 –	20	11	2	2	5	–	–	–	171	40	1
18 –	20	10	2	2	5	–	1	–	170	40	1
19 –	19	10	2	2	5	–	–	–	169	39	–
20 –	18	5	2	2	9	–	–	–	169	37	1
21 –	18	4	2	2	10	–	–	–	168	27	–
22 –	18	4	2	2	10	–	–	–	151	25	1
23 –	18	4	2	2	10	–	–	–	151	21	–
24 –	17	3	2	2	10	–	–	–	150	18	1
25 –	17	3	2	2	10	–	–	–	150	18	1
26 –	17	3	2	2	10	–	–	–	150	18	–
27 –	17	3	2	2	10	–	–	–	150	21	–
28 –	17	3	2	2	10	–	–	–	150	15	1
29 –	17	3	2	2	10	–	–	–	149	16	–
30 –	17	3	2	2	10	–	–	–	149	15	–
1 October	16	1	2	2	11	–	–	–	149	17	–
2 –	16	1	2	2	11	–	–	–	149	10	–
3 –	16	1	2	2	11	–	–	–	145	9	–
4 –	16	1	2	2	11	–	–	–	145	13	–
5 –	16	1	2	2	11	–	–	–	144	7	1
6 –	16	1	2	2	11	–	–	–	144	12	–
7 –	16	1	2	2	11	–	–	–	142	7	–
8 –	16	1	2	2	11	–	–	–	142	11	–
9 –	16	1	2	2	11	–	–	–	142	5	–
10 –	16	1	2	2	11	–	–	–	142	5	–
11 –	16	1	2	2	11	–	–	–	142	11	–
12 –	17	–	2	2	13	–	–	–	142	13	–
13 –	17	–	2	2	13	–	–	–	142	9	–

Memorandum.—Bedding, &c. burnt on the Breakwater, September 6th.

"Thames" Hulk, Bermuda, 22 September 1853.

STATEMENT of the Establishment and Convicts, showing the Number Borne, Sick, Died, &c., from 18 August to 13 October 1853.

DATE.	ESTABLISHMENT.								CONVICTS.		
	Number Borne.	Number Sick.	Doing Duty at			Died.			Borne.	Sick.	Died.
			Thames.	Cassius.	Weymouth.	Thames.	Weymouth.	On Shore.			
1853:											
18 August	18	3	15	–	–	–	–	–	213	26	–
19 –	18	3	15	–	–	–	–	–	213	29	–
20 –	18	3	15	–	–	–	–	–	213	26	–
21 –	18	3	15	–	–	–	–	–	213	26	–
22 –	18	3	15	–	–	–	–	–	213	34	–
23 –	18	3	15	–	–	–	–	–	213	42	1
24 –	18	3	15	–	–	–	–	–	213	40	–
25 –	18	2	15	–	–	1	–	–	213	39	–
26 –	16	3	13	–	–	–	–	–	213	35	2
27 –	16	8	8	–	–	–	–	–	211	45	–
28 –	16	8	8	–	–	–	–	–	210	56	–
29 –	16	8	8	–	–	–	–	–	210	64	–
30 –	17	8	9	–	–	–	–	–	210	74	–
31 –	17	8	5	3	–	–	–	1	210	93	1
1 September	14	5	4	3	–	–	–	2	209	100	3
2 –	14	6	5	3	–	–	–	–	207	108	7
3 –	14	6	5	3	–	–	–	–	200	114	5
4 –	13	6	3	3	–	–	–	1	195	120	6
5 –	14	6	5	3	–	–	–	–	202	112	8
6 –	19	6	3	3	7	–	–	–	194	120	2
7 –	19	6	2	3	8	–	–	–	192	92	3
8 –	20	7	2	2	9	–	–	–	189	90	4
9 –	20	7	2	2	9	–	–	–	185	85	5
10 –	20	7	2	2	9	–	–	–	180	80	3
11 –	20	7	2	2	9	–	–	–	177	50	3
12 –	20	9	2	2	7	–	–	–	174	47	–
13 –	20	9	2	2	7	–	–	–	174	48	3
14 –	21	10	2	2	6	–	1	–	171	53	–
15 –	20	10	2	2	6	–	–	–	171	52	–
16 –	20	10	2	2	6	–	–	–	171	46	–
17 –	20	11	2	2	5	–	–	–	171	40	1
18 –	20	10	2	2	5	–	1	–	170	40	1
19 –	19	10	2	2	5	–	–	–	169	39	–
20 –	18	5	2	2	9	–	1	–	169	37	1
21 –	18	5	2	2	9	–	–	–	168	27	–
22 –	18	4	2	2	10	–	–	–	151	25	1
23 –	18	4	2	2	10	–	–	–	151	21	1
24 –	17	3	2	2	10	–	–	–	150	18	–
25 –	17	3	2	2	10	–	–	–	150	18	–
26 –	17	3	2	2	10	–	–	–	150	21	–
27 –	17	3	2	2	10	–	–	–	150	15	1
28 –	17	3	2	2	10	–	–	–	149	16	–
29 –	17	3	2	2	10	–	–	–	149	15	–
30 –	17	3	2	2	10	–	–	–	149	17	–
1 October	16	1	2	2	11	–	–	–	149	10	–
2 –	16	1	2	2	11	–	–	–	145	9	–
3 –	16	1	2	2	11	–	–	–	145	13	–
4 –	16	1	2	2	11	–	–	–	144	7	1
5 –	16	1	2	2	11	–	–	–	144	12	–
6 –	16	1	2	2	11	–	–	–	142	7	–
7 –	16	1	2	2	11	–	–	–	142	11	–
8 –	16	1	2	2	11	–	–	–	142	5	–
9 –	16	1	2	2	11	–	–	–	142	5	–
10 –	16	1	2	2	11	–	–	–	142	11	–
11 –	16	1	2	2	11	–	–	–	142	8	–
12 –	17	–	2	2	13	–	–	–	142	13	–
13 –	17	–	2	2	13	–	–	–	142	9	–

Total Number of Deaths from yellow fever:—Officers, 8 in number; Convicts, 63 in number.

"Thames" Hulk, Bermuda, 14 February 1854.

Appendix.

Answers of Mr. J. B. Howes.

REMARKS.

September 4.—Received from Boaz Island Prisons, 1 quartermaster, 6 guards, and 13 convicts, of which 1 convict was taken sick on the 8th, and died on 20th; 1 convict on 10th, and discharged to duty on 21st; 1 guard and 1 convict on 11th, the guard discharged on 20th, the convict on 15th; 1 quartermaster sick on 12th, also 1 guard, the quartermaster discharged on 30th, the guard died on 19th; 1 guard on 13th, died on 14th; 1 guard taken on 14th, died on 18th; 2 convicts taken on the 16th, 1 died on 22d, the other to duty on 22d; 3 convicts taken on 18th, 1 died on 23d, 1 on 27th, the other to duty on 24th; 1 taken on 20th, discharged on 30th; 1 taken on 30th, died October 4th; 2 taken on 12th October, and sent to "Tenedos" on 13th.

September 6, 1853.—Destroyed by burning, 210 beds, 210 blankets, and 210 hammocks, besides a large quantity of prisoners' clothing.

(signed) *J. B. Howes*, Acting Overseer,
"Thames," St. George's.

18 February 1854.

Sir, "Thames" Hulk, 21 February 1854.

I OMITTED to forward with my answers to the printed questions the distance of the ship from the shore, &c. I herewith send them for your information.

Distance from ship to cliff	165	feet.
Width of road	26	„
Total distance to Parade Wall	190	feet.
Height of cliff to road	58	feet.
Ditto from road to top of Parade Wall	14	„
Total Height	72	feet.
Total Height of Ship from Water to ridge board of Housing	40	

Depth of Water round the "Thames" Hulk:

Starboard midships	3½	feet.
Ditto - quarter	6	„
Ditto - bow	6½	„
Larboard midships	12	„
Ditto - quarter	12	„
Ditto - bow	7	„
Stern	12	„

At nearly low water on 11th January 1854.

I have, &c.
(signed) *J. B. Howes*,
Acting Overseer.

S. Oakeley, Esq., Major 56th Regiment,
&c. &c. &c.

No. 26.

ANSWERS of the Rev. *R. T. Tucker*, D. D., Garrison Chaplain.

Answers of the Rev. R. T. Tucker, D. D.

1. I HAVE been chaplain to the Garrison of St. George's since 1839.

2. I had the clerical charge of the garrison in St. George's, throughout the fever of 1843.

3. On the 1st of September I visited a dying man, J. Gray Lyon, a guard from the convict hulk "Thames."

4. The man died. I presume this query is intended for a medical man.

5. A medical query, I presume.

6 My opinion is that it was imported into St. George's, from the hulks at Ireland Island.

7. No.

8. Communicable. The instances which lead to this opinion are too numerous to mention.

9. By being much in the same atmosphere with fever patients, persons at all predisposed or not acclimated, I consider, are almost sure to take yellow fever.

10. I am told that Mrs. Howes, the wife of the overseer of the "Thames," brought it from Ireland Island.

11 and 12. Unanswered.

13. I consider that the soldier's habit of resorting to the dirtiest parts of the town, particularly exposes him to the attack of epidemics.

14. The grog-shops in St. George's which the soldiers frequent, are generally situated in the closest and dirtiest parts of the town.

15. Unanswered.

16. I have been in St. George's since 1839, and throughout the year 1853.

17. The soil of St. George's is sandy and absorbent. St. George's is ancient, built before carriages were in use, and therefore composed of tortuous narrow lanes. It lies too low to drain, were it desirable to do so, by conveying filth into the harbour. The poor having no place of deposit for refuse, it lies about until removed to gardens, &c., by persons who find it an object to cart it away. The burial-ground used by the military was too full for further use, and the place allotted for burial at a late period of the fever was rocky, and I believe the cause of much disease among the troops, from the excessive labour in excavating the graves. It was almost impossible to dig the graves in either the old or the new burial-places, to a sufficient depth in time for interments. In many, I may say in most cases, the men had to labour in the immediate neighbourhood of unburied bodies, and frequently in the rain.

The churchyard in the town is crowded, and ill situated in the midst of houses.

18. It is allowed to accumulate until it can no longer be endured, when it is removed and buried.

Regular cesspools are rare; where they exist they are cleaned out frequently.

19. The yellow fever raged here in 1819 and in 1843. Its native population has always suffered to a comparatively very slight degree.

20. Unanswered.

21. At an early stage of the fever tar barrels were burnt, and smoke created by brushwood set on fire in various parts of the town and churchyard, by order of the Board of Health.

22 and 23. Unanswered.

24. I consider the position of the "Thames" to windward of the most crowded part of the town, and just under the barracks, to have been highly conducive to the spread of the fever, if it can be communicated by contaminated air.

25. Certainly not, in my opinion.

26. A hot summer follows a rainy spring.

27. It was remarked in the early summer of 1853, that the weather very much resembled that of 1843; so much so, that some persons predicted that yellow fever would make its appearance. I myself noticed the resemblance in the luxuriant vegetation succeeding the rains of June.

28. Much more rain fell than is usual. The temperature was a little higher.

29. This is (I presume) a medical query.

30. The inhabitants are certainly more exempt than persons from northern climates, whether European or American.

31. I am doubtful on this point.

32. I think that yellow fever may be hastened or increased; I do not know whether originated here by the causes alluded to.

33. I do not know that any have been tried. I would recommend improving the ventilation of the town of St. George's by widening the streets, which are not worthy of the name, but are rather confined alleys.

34. The removal of every one with whom this is practicable from the infected place; in those who remain, an active temperate life should be promoted. Troops should be encamped in airy localities, not in a warm valley, as was the case in the late fever, when the women and children were placed in tents in the hospital field, under shelter of a cedar wood where the heat was intolerable, so that some were obliged, as they told me, to sleep outside.

35. I do not know that the late separation of the force arrested the disease in 1853.

36. Because it is scarcely within the yellow fever zone.

37. I suppose the natives who died from fever in 1853, as compared to Europeans, were not more than in the proportion of three per cent.

38. The corporation of St. George's being insolvent, and therefore inefficient, no effectual sanitary improvements can be expected from that quarter. I con-

Appendix.

Answers of the Rev. R. T. Tucker, D. D.

sider, therefore, that the widening of the streets, so necessary for the prevention of miasma settling and accumulating, the removal of dilapidated buildings, and the general improvement of the town, can only be effected by colonial grants, which, if judiciously applied, would prove beneficial, not only to St. George's, but to the colony at large. If the town, which most strangers usually see first, were rendered more attractive than it is, the character of Bermuda generally would be raised, and by its becoming the resort of more visitors in search of health and amusement, the health of the people would be increased, and their means, together with their taste for local improvements, be proportionably extended.

I think the convict hulk should never be replaced near the shore, but remain where it now is, in the centre of the harbour.

I think a law should be made prohibiting more than a certain number of persons from living or sleeping in a given space in the houses in the town.

I think the number of persons sleeping in each barrack-room, in summer at least, should be reduced; and if there be any appearance of fever, that the beds in the hospitals should be placed further apart than usual instead of closer, as has been the practice.

I think there should be some amendment in the laws relating to the sale of liquors in licensed as well as unlicensed houses. The grog-shops are nests of disease, poverty, and filth.

(signed) *R. T. Tucker*, D.D.,
St. George's, 24 February 1854. Garrison Chaplain.

No. 27.

ANSWERS of the CORPORATION of *St. George.*

Answers of the Corporation of St. George.

1. UNANSWERED.

2. That in every instance such diseases have been imported, and when so introduced in the warm seasons, they have generally become epidemic.

3. The first cases in the town of St. George were brought from the convict ship "Thames;" four of the guards were taken with the fever, and sent to their families residing in the town, three of which proved fatal, and were decided cases of black vomit. There had been no case of fever previous to the above, within the town, but very soon after there were many.

4 and 5. Unanswered.

6. We are of opinion that the fever assumed various phases in consequence of its being introduced into the islands in several different vessels.

7. We are of opinion that the fever would not have become so general, and would have been less fatal at St. George's if prompt measures had been taken in the first instances, by separating afar the sick from the healthy, both as regards convicts and troops, so soon as practicable; viz. by putting the convicts in another vessel, and vacating the barracks, having them thoroughly fumigated and cleansed, as was done in the year 1843. But in this case it was not done until a great number of cases and deaths in both departments had occurred, nor were the barracks or hospitals cleansed for several months after.

8. We undoubtedly believe that it is communicable. Very many instances confirm us in that opinion. That of Mrs. Cooper attending her son, ill with fever, we know, has already been quoted for your consideration by several persons who have replied to this question, and we add the undoubted fact of (European) attendants on fever patients dying in rapid succession.

9. By inhaling the breath of the patient; and this belief makes us of opinion that the addition of each patient to the "sick bay" of the "Thames," or to the hospital, added "fuel to the fire," and rendered the disease more unmanageable. Hence the imprudence of the delay in removing the sick to a spot far distant from the healthy. We also believe that it can be communicated by the infected air of rooms, ships, &c.

10. We are of opinion that the fever was introduced into the parish more directly by the steamer "Merlin" from St. Thomas's (though we have reason to believe that other vessels arrived in the islands from infected ports). A lady passenger died on board the said steamer, and was buried in this town on June 25th. The wife of the pilot at St. David's Island, and another woman at his house, with others

others living on the said island, were the first persons in this parish who were attacked with fever. On the 2d August, Samuel Fox died there with black vomit; this was about a fortnight before the fever reached the hulk "Thames," in St. George's. We learn also from good authority that several deaths occurred at the naval yard prior to 16th August, which was about the time of its first appearance in said hulk. The communication between naval yard, St. David's Island, and the hulk "Thames" was very frequent.

11. We are of opinion that such "specific miasma" does not exist in the neighbourhood of this town, of sufficient strength, or of such pernicious quality as to render the production of zymotic diseases.

12. Unanswered.

13. Nothing more in the situation of the soldier than in that of any other individual, not a native.

14. Unanswered.

15. The Royal Barracks, where the greater part of the troops are located, are situated on an eminence, and have the advantage of ocean breezes on nearly all sides, and we consider that there is not a more healthy situation in these islands. The localities, capacities, conveniences, and general eligibility of the hosiptals at St. George's, are unexceptionable; the regimental hospital particularly so, being a fine large building, and close to the water-side, on the north part of this island.

16. Unanswered.

17. Soil porous, and particularly rapid in its absorption of moisture. The town of St. George is situated to the west, below the barracks. Most of the forts are at some considerable distance from it; its principal drainage runs into the harbour; precautions to keep the lanes and back yards clean are generally taken, but provision has of late been made by the parish for a more systematic cleansing of the same. The extent and influence of the tides good, there being a diurnal ebb and flow between four and five feet of our particularly crystal clear waters, and sweeping through several outlets, westerly, easterly, and southerly. Situation of the burial-ground decidedly bad; though but few cases of fever occurred in its immediate vicinity. Slaughter-houses at the water's edge. The new slaughter-house (and one most in use) is a pattern of neatness and cleanliness. Pigs were occasionally kept in the town, and also near the mess-room. We do not consider that fever can have been engendered by any of these evils (for although evils, they are but comparatively of small extent), however much fever may be aggravated by them after it has once made its fatal appearance.

18. Nearly every dwelling-house in the town of St. George has a "necessary" attached, and the night-soil is so disposed of, and these are generally kept in a proper state by being periodically emptied, and the contents buried in deep pits and covered over with earth.

19. Yellow fever has visited these islands three times only during the last 34 years in the form of epidemic, and at no time has it appeared to be so generally fatal to natives as to others.

20. Unanswered.

21. The Corporation, as a board of health, were active in going through the town, and causing it generally to be cleansed from all offensive matter previous to any disease showing itself, and continued this repeatedly all through the summer months, and during the presence of the fever, as far as practicable.

22 to 24. Unanswered.

25. We think not.

26. The winds prevailed during the fever in 1843 and 1853 from the east, and we should say that a damp atmosphere and hot temperature after heavy rain are most favourable to spread of yellow fever.

27. Unanswered.

28. The temperature was not higher generally in 1853 than former years. Rain fell very heavily through the hot months.

29. The fever of 1853 was observed to affect Europeans, without regard to the sickly or healthy, moral or immoral, stout habits or meagre, living in badly-ventilated houses or well-ventilated.

30. The inhabitants, white and coloured, of this climate appear to be generally more exempt from yellow fever and other contagious diseases than most

Appendix.

Answers of the Corporation of St. George.

others, and this has been manifest not only while at home, but also abroad in other climes.

31. It is.

32. We do not think that yellow fever or any contagious disease would ever be produced here under such circumstances, but when imported, we believe that during the warm months and certain states of the atmosphere then existing, would be favourable to such disease spreading through the island.

33. Unanswered.

34. Change of locality, particularly for the military.

35. We refer to the 7th answer for all we would say to this, except that we believed it would sooner have had a beneficial result if the move had been more promptly made.

36. From its central position in the Atlantic.

37. Unanswered.

38. That native nurses be employed at any future occurrence of a similar nature. We think this of such great importance, as the natives are so unlikely to take the disease, and at the same time have great skill in the management.

39. State as accurately as you can the number of cases of yellow fever which occurred amongst the inhabitants of your parish between 1st July and 31st December 1853, and the number of such persons who died of that disease within that period, exclusive of persons on the naval, military, and convict establishments, and furnish a nominal roll?—We cannot state with accuracy the number of cases, but we subjoin the following list of deaths which occur between 4th September and 5th November.

Not Natives.

Mr. Cusack.	Mr. Golway.	Mr. Herbert and child.
Mrs. Cusack and child.	Mr. Murray and four children.	Mr. Edwards.
Mr. Beattie and child.	Mrs. Herbert.	Mrs. Edwards and daughter
Mr. Juffs.	Mr. Rowlandson.	Mr. Howden (U. S. C.)
Mrs. Ranshaw and two sons.	Mr. Pherson.	Mrs. Coventry.
Mrs. Hunter.	Ingles' boy.	Lucy Ellis.
Mrs. Southworth.	Shewbridge.	Mrs. Holden and daughter.

Natives.

Samuel Fox.	Miss Smith.	Lyndhurst Harvey.
Jane Fox.	Minors (coloured child).	Burcher (child).
Francis Skelly.	John Gibson (child).	Lightbourne (child).
Mr. Cooper.	Samuel Taylor (coloured child).	Two coloured children.
Mr. Calvy.	Miss Agnes Tucker (child).	R. Hayward (child).
Samuel Brangman.	Miss Russel.	Miss Lamb.
Miss Richardson.	Hayward (child).	Barham (coloured child).
Miss Penno (child).	A coloured child.	M'Kenny (coloured child).

40. Are you aware of any infringement of the quarantine laws during that period; and if so, state the particulars?—Unanswered.

We, the undersigned committee of the corporation of St. George's, have appended answers to 27 of the foregoing questions, and now submit them for consideration.

(signed) *John Fox.*
George S. Rankin.
W. J. Outerbridge.
Robert W. Outerbridge.
R. L. Brown.

27 March 1854.

No. 28.

Answers of the Corporation of *Hamilton.*

Answers of the Corporation of Hamilton.

1. We are not in Her Majesty's service as is here meant, but a corporation, and Board of Health for the town of Hamilton.

2. We had the yellow fever here in 1796, 1818, 1819, 1843, and 1853, as an epidemic. In other years yellow fever has been brought here; but from being rigidly

rigidly quarantined, no evil consequences resulted from it. Such, however, seldom occurred.

3. The first case in Bermuda did not come under our observation.

4. The case originated in St. George's, but we know no more of it.

5. None of the corporation are physicians; consequently we have no practice to speak of.

6. We have no evidence to give, as to the origin and nature of the late epidemic.

7. We have nothing to say in this respect.

8. We think it communicable. A member of the present corporation was taken down with yellow fever two days after having assisted to coffin a child, who had died about 12 hours before of that disease. A young man living in St. George's had the yellow fever there, and died from it. His father and mother living in Southampton parish, distant from St. George's about 15 miles, went to see him. After his death they went back again to Southampton, and soon after the mother was taken down with yellow fever, and died in one week from the death of her son. She also had three daughters living with her, who took the yellow fever, one of whom died. These were natives, and there was no case of yellow fever in the neighbourhood prior to their having it. The corporation member was also a native.

An American whaler put into St. George's during the yellow fever; several of her crew, after remaining there for about a week, came to Hamilton, and soon after two of them were taken with yellow fever and died; one of them died in our hospital, and was one of the first cases sent there by the corporation.

Mr. Falconer, of Scotland, living in Hamilton, went to St. George's during the fever to visit a friend there, and after staying there a few hours came back again to Hamilton, and was taken down with yellow fever, and died.

We could name many others, but we think it unnecessary, as those referred to being, in our opinion, sufficient to establish that yellow fever is communicable.

9. By attending and visiting persons sick with yellow fever, or visiting them too soon after their illness, or during their convalescence.

10. See No. 6.

11. We think it may produce the cause for yellow fever being generated here.

12. We have no knowledge of this.

12. Except from aggregation and from not being a native, we do not see any thing in the situation of a soldier rendering him more than usually susceptible of an attack of yellow fever.

14. When the yellow fever broke out among the soldiers at Hamilton, the sick were removed from the well, and the well were relieved from it, by going to another place distant from Hamilton about two miles.

15. We are acquainted with no particulars in the localization of the troops at that place, which could affect them unfavourably or otherwise; neither are we particularly acquainted with the hospitals alluded to.

16. *See* No. 1.

17. This question can be better answered by the corporation of St. George's for St. George's, than by us.

With respect to Hamilton, the barracks occupied by the soldiers are situated in the eastern part of the town of Hamilton, near the sea. The water from the streets of Hamilton is all carried off by surface drains to sunken pits, in connexion with the sea water, made for the purpose of receiving it.

The streets are all 50 feet wide, and are kept clean by corporation regulations. We have no burial-ground in the town, and but one slaughter-house in it, where but few cattle are weekly slaughtered. Pigs are sometimes kept in the town, one here and there to a family. The tides ebb and flow throughout the year from three to five feet. There are no lanes, small houses, back yards, kept in a filthy state, that we know of. In the late fever we found but little to remedy in this way. In fact the inhabitants generally are comfortably situated, and keep all about them clean and in good order. We know of no circumstance bearing upon the probability of fever being engendered or aggravated by the situation and condition of the town of Hamilton.

18. The houses in the town of Hamilton have cesspools for receiving night-soil; we cannot say how often they are cleaned out; in the early part of the

Appendix.

Answers of the Corporation of Hamilton.

fever the corporation required the owners of them to do so, or cover them over with earth mixed with lime or chloride of lime, which was done.

19. This question can be better answered by the corporation of St. George's than by us.

20. We have no evidence.

21. On the fever breaking out in the town of Hamilton, we provided a hospital for the indigent poor, which went into operation on the 1st October; 16 persons were sent there, of whom seven died. Everything necessary was provided for them: physician, nurses, medicine, and nourishment. By this means we think the progress of the fever in Hamilton was very much arrested. The parish of Pembroke, in which Hamilton is situated, also had the benefit of the hospital, but they had but few such cases to send there.

22. We have no evidence.

23. We have no means of doing so.

24. We have no evidence.

25. We know of none at present; many years ago the typhus fever was almost an annual fever of the colony; but of late years little or nothing has been heard of it.

26. When yellow fever prevails, we think the east wind most favourable to the spread of it.

27. The only means of reference we have are the meteorological tables kept at Mount Langton, and published here weekly; but they become of little value for this purpose, from the unsystematic way of keeping them.

28. The temperature of 1853, during the hot weather, we think, was higher than is usually the case during the same season, and decidedly we had more rain in that time than usual.

29. As a class of persons, the white are more predisposed to fever than the blacks; and strangers coming amongst us more so than natives, and among natives children more so than adults.

30. The inhabitants of the colony are more exempt from yellow fever than Europeans. As to the particular difference spoken of, we have never directed our attention particularly to the consideration of it, otherwise than is stated in our answer to No. 29.

31. We are decidedly of opinion that in every one of the cases mentioned it can be communicated.

32. We have no evidence to give.

33. In 1843, when the soldiers quartered at Hamilton were dying from yellow fever, they were relieved from it by being dispersed about the island; some were sent to Devonshire College, some to Tucker's Island, and others to Port's Island; they had but few cases among them after that. Next to dispersion, the removal of the sick from the well is absolutely necessary, as we have already stated to be our opinion in reference to our town hospital, in answer to question No. 21. As a general measure for prevention, we recommend rigid quarantine regulations.

34. Dispersion as practised in 1843 and 1853, and the removal of the sick from the well. This we apply particularly to soldiers, sailors, and convicts. With respect to the island generally, we recommend the enactment of regulations giving full power to the Governor for the time being to constitute and appoint a Board of Health for the whole island (he being one of the Board), whenever yellow fever breaks out in the colony. We also recommend the establishment of a lazar-house at the public expense, where the indigent poor of the colony may be sent for medical assistance at such times, and where also may be sent persons quarantined with yellow fever or other infectious diseases, so that a system for arresting the spread of infectious diseases may be made to apply alike to every one.

35. *See* Answer to No. 33.

36. Because we think it is not a fever of the climate of Bermuda; where it is so, it would more regularly and frequently appear among us than it does.

37. We do not know by account, but we know but few natives died of the late fever.

38. Open air in the daytime, and well-ventilated rooms in the night, are matters of essential importance for preserving the health of soldiers, sailors, and convicts, living together in numbers. They should sleep in no room, during the summer months in particular, that is not well ventilated; for if there be a tendency

tendency in the atmosphere to cause the production of yellow fever, how is it possible for 40 men sleeping in a room just large enough for their accommodation, in one of those still summer nights, with the thermometer at 85°, to avoid abstracting from the atmosphere the poison which it contains, if they be forced, for the want of ventilation, to breathe portions of the same air over and over again? The vigour and promptitude of their lungs may successfully repel the poison from them for a while, but in every renewed effort to do so they become less and less able to do it. Hence, when a fever breaks out in barracks, the rooms of them in succession become contaminated with a fever atmosphere, which, when well established, is sure to destroy a large proportion of those inhabiting them, if they remain there. The ventilation we recommend is for the rooms of our barracks, gaols, and hospitals to be so constructed as to pass off from the tops of them the warm rejected air of the lungs as it ascends, while they permit the introduction of a fresher and purer air below to take the place of it. We need hardly remark, the one cannot escape unless it be displaced by the other. For the escape of the warm air, ventilators such as are used on the tops of our asylum buildings for insane persons would answer the purpose; and for the admission of the fresh air, we would recommend the use of a wire gauze net, sufficiently open for admitting air without letting it in, in currents, to be put in sashes instead of glass; and also, if necessary, doors may be pannelled of the same material. The soldier's tent is ventilated from top to bottom. Besides that, it is made of a material which allows rarefied air to escape from it; and because it is so, it becomes perhaps their best refuge from yellow fever. The hulks may be ventilated by pipes leading through their decks.

By order of the Board,

Hamilton, Bermuda, 16 February 1854. (signed) *Henry James Tucker*, Mayor.

No. 29.

Answers by the Vestry of *St. George's*.

1. Unanswered.

2. The general healthfulness of these islands, and the infrequency of any epidemic visitations, renders a relation of them almost impracticable.

3 to 5. Unanswered.

6. We are of opinion that it was imported.

7. No.

8. We do think it communicable, and instances too numerous to mention.

9. By inhaling the atmosphere of the deceased, and by close contact of a fever patient.

10. From the naval yard.

11 to 14. Unanswered.

15. The marshes near Prospect Hill, said hill being about a quarter of a mile west of Devonshire Marsh, and half a mile east of Pembroke Marsh, and about 80 feet above them, producing miasmatic inhalation destructive to full-blooded Englishmen.

The localities, capacities, conveniences, and general eligibility of the hospitals at Ireland Island and St. George's, are unexceptionable.

16. Unanswered.

17. Chemical knowledge being essential to reply to a question of such importance, we must leave it to abler hands. The situation of the town is a delightful one, and the barracks insurpassable; they are distant from the Atlantic less than a quarter of a mile, and about 80 feet above it, and immediately over the harbour, through which a strong current always sets, from three separate sources, producing ingress and egress to ships of heavy burden. The circumstance of a company of royal artillery having been quartered here for years without losing a man is indisputable evidence of locality and climate. The means of draining the forts and town can be better known on application to the Engineer office.

We believe that the houses, lanes, and back yards require precautionary measures. The rise and fall of the tide being only three feet six inches generally,

Appendix.

Answers by the Vestry of St. George.

we do not attribute any influence of a pernicious tendency. We consider the burial-ground improperly situated. The situation of the slaughter-houses being over the water, we do not consider them deleterious. The number of cattle vary according to the number of troops in barracks. Pigs are kept in the town, and near the officers' mess-room.

18. In this town it is generally buried; very few houses have cesspools.

19. Twice only has St. George's been visited with epidemic diseases, in 1819 and 1843. In other parts of the island epidemics raged in 1795, 1818, 1819, 1828, 1837, 1843.

20. Unanswered.

21. The town was fumigated repeatedly, and visitations were made by the Board of Health for cleansing the town. The separation of the forces in 1853 being made at too late a date, appears to have been productive of no good effect.

22 to 24. Unanswered.

25. We do not consider fever of any kind endemic to Bermuda.

26. Moderate east winds and high temperature.

27. The weather of 1853 resembled very much that of 1843 in rain and temperature.

28. The temperature was higher than usual in 1853, and more rain supposed to have fallen than at that season of the year generally.

29. Refer to those who first proclaimed yellow fever here.

30. We think the natives are more exempt from yellow fever than Europeans, and the coloured more than the white population.

31. It is our opinion that it may be communicated by contact with the living and the dead, and possibly by articles of dress or bedding.

32. We think that yellow fever may be increased in unfavourable states of atmosphere.

33. No means of prevention have yet been discovered, that we know of, in any part of the world. Burning the bedding of the dead was adopted by the military here, alike, in our opinion, destructive to life and property.

34. Temperance, cleanliness, quiet, and immediate removal from the diseased district.

35. The fever in 1843 was quickly arrested by Dr. Teeven removing the troops to the ferry on the outbreaking of fever.

36. From our proximity to the gulf stream, and distance from the equator.

37. Unanswered.

38. The most material improvement we can suggest for the interest of this town is, in our opinion, the demolition of certain buildings in York-street, numbering but few, and possibly worth 1,000 *l.* This street connects with Government Garden, measuring about 200 by 250 feet in extent, which, if thrown open, would be a very desirable boon to the residents, by the removal of high stone-walls, giving free circulation of air, and rendering visible those exotic and eastern plants so highly prized in tropical climates. Our streets generally are confined, with numerous unsightly obstructions of imperfectly constructed and dilapidated steps, and an entire absence of architectural arrangement. A colonial grant, or Government loan, would be very acceptable to the parishioners.

The insolvency of our corporation, the absence of trade, the reduction of troops, all combine to render the improvement of the town impracticable among the citizens.

39. State as accurately as you can the number of cases of yellow fever which occurred amongst the inhabitants of your parish between the 1st July and 31st December 1853, and the number of such persons who died of that disease within that period, exclusive of persons on the naval, military, and convict establishments, and furnish a nominal list of those who died?—Eighty-five civilians.

40. Are you aware of any infringement of the quarantine laws during that period; and if so, state the particulars?—Unanswered.

(signed) *R. T. Tucker*, Chairman,
On behalf of the Vestry of St. George.

St. George's,
27 February 1854.

No. 30.

ANSWERS by the *Hamilton* VESTRY.

Answers by the Hamilton Vestry.

1 to 38. UNANSWERED.

39. State as accurately as you can the number of cases of yellow fever which occurred in your parish between the 1st July and 31st December 1853, and the number of such persons as died from that disease within that period, exclusive of persons on the naval, military, and convict establishments, and furnish a nominal list of those who died?—About 20 cases in this parish. No deaths.

40. Are you aware of any infringement of the quarantine laws during that period, and if so, state the particulars?—No.

To Major *Oakeley*, 56th Regiment.

Sir,

THERE has been a vestry meeting called for the purpose of returning answers to the various questions which you have done us the honour of proposing to us, and in answer we beg to state, that with the exception of the two to which replies are affixed, no two members present can exactly agree in opinion; but as their sentiments may be highly instructive and useful, they beg to state, that should you deem it advisable, they are willing to return answers singly to all the inquiries, provided you will ensure them ample remuneration from the Colonial Treasury or other sources for their trouble.

We have, &c.

Vestry Room, Hamilton Parish, 12 January.

(signed) *J. A. Roberts*, Rector.

By order of the Vestrymen,
(signed) *P. B. Outerbridge*, V. C.

No. 31.

ANSWERS of the Members of *Smith's Parish* VESTRY.

Answers of the Members of Smith's Parish Vestry.

1. UNANSWERED.

2. In 1843, as well as in 1853, this colony was visited with an epidemic yellow fever. In some other years (not frequent) the disease was brought into the ports of these islands, but, from a rigid execution of the quarantine laws, it did not spread.

3. The first case of yellow fever in Smith's Parish occurred in the month of October 1853. It was a child of Mr. John W. Pearman.

4. The case originated at the residence of the child's father, situate near the parish church. It did not end fatally.

5. None of the vestry being physicians, have no practice to report.

6. We have no evidence on which to form an opinion as to the origin of the late epidemic.

7. Unanswered.

8. We think it communicable. We are confirmed in that opinion from the several cases reported during the prevalence of the disease in the colony last year (1853).

9. We consider it communicable by inhalation or contagion.

10. *See* Answer to the Question No. 6.

11. We think it may.

12. We are without any knowledge on this point.

13. Beyond aggregation, we do not know that the situation of the soldier would render him more susceptible of a fever attack than other natives of northern climates.

14. We are of opinion that when yellow fever appears in the barracks, that immediate dispersion of the men would be a salutary measure. When yellow fever exists in the neighbourhood of the barracks, we consider it would be wise to disperse the men as early as practicable, inasmuch as these means promptly adopted at the Hamilton garrison were productive of great good.

15. We are not acquainted with the particular localization of the troops at St. George's, which could unfavourably affect them. We think the barracks there

Appendix.

Answers of the Members of Smith's Parish Vestry.

there admirably situated for the preservation of general health. The site of the Military Hospital at St. George's we also think an eligible one.

16. Unanswered.

17. This question, we consider, can be fully and better answered by the authorities of St. George's. We are of opinion the burial-ground in the town should be immediately abandoned.

18. We do not know, but are of opinion, that the houses in the town of St. George's should have cesspools, and that they should be periodically cleansed. We are further of opinion that the town of St. George requires ventilation, drainage, and other improvements of a sanitary nature.

19. This question can be better answered by the authorities of St. George's.

20. We are without evidence.

21. We are not aware of the nature of the means adopted to arrest the progress of the disease at St. George's.

22 to 25. Unanswered.

26. High moist temperature. Winds from the east and its collateral points are most favourable towards the spread of the disease.

27. We have not the means.

28. The temperature of the summer of 1853 was higher than is usually the case during the same season in other years. A very unusual large quantity of rain fell during the hot weather in 1853.

29. White persons are more predisposed to fever than black or coloured. Strangers more so than natives; and amongst natives, children suffer more than adults.

30. The inhabitants of the colony are more exempt from yellow fever than natives of northern climates.

31. We think it may be communicated by all the means detailed in this question, but chiefly by inhalation.

32. They may not originate, but may greatly assist in spreading infection.

33. We would suggest cleanliness and ventilation, and also the dispersion of men who are crowded together.

34. Separating the sick from the healthy, and dispersing the latter.

35. Separation of the force during the late epidemic appeared ultimately to be successful.

36. The natural salubrity of the climate.

37. We do not know.

38. Unanswered.

State as accurately as you can the number of cases of yellow fever which occurred in your parish between the 1st July and 31st December, and the number of such persons who died of that disease within that period, exclusive of persons on the naval, military, and convict establishment; and furnish a nominal list of those who died?—The number of cases of yellow fever which occurred in Smith's parish were as follows: 11 white persons, all children, one of whom died; five coloured persons, of whom four were children and one adult, all recovered.

Are you aware of any infringement of the quarantine laws during that period; and if so, state the particulars?—We do not know.

(signed) *Cornelius C. Hinson,*
W. E. Zuill,
W. E. Newman,
W. P. Pinostan,
Members of Smith's Parish Vestry.

No. 32.

Answers of the Members of *Devonshire* Vestry.

Answers of the Members of Devonshire Vestry.

1. The rector was appointed officiating clergyman to the troops in Hamilton in 1833.

2. We have to say, in answer to this question, that the fever in 1818 and 1819 was more fatal amongst the natives of Bermuda. Young persons from 15 to 20 years of age chiefly suffered. No military were stationed in this part of the country. In 1843, it was mainly confined to Europeans and the military.

3. The

3. The first case of yellow fever was a coloured man, by name John Henry Hall, a native of the United States of America, on the 17th October 1853. The first death was that of his son, Joseph Hall, aged 8 years, 2 months, and 14 days, on the 14th November 1853.

4. It occurred in this parish, Devonshire; the father recovered. Both were well-defined cases of yellow fever, as we were informed.

5. Unanswered.

6. We find it impossible to come to any decision upon this subject.

7. Unanswered.

8. We think that it is communicable. The cases of Soadey (Royal Sappers and Miners) and his wife, (both of whom died), Mrs. Freswell (who recovered) and her two children (one of whom died), and Miss Emily Cox (who recovered), residing as they all did in a house adjoining Prospect Hill, have confirmed us in this opinion.

9. Persons living crowdedly together, a high temperature, and an impure state of the atmosphere, we conceive, are the circumstances under which it may be communicable. We think that it may also be communicated in a pure atmosphere, by inhalation or contagion.

10. to 24. Unanswered.

25. In our belief, there is no fever endemic to Bermuda.

26. Moist atmosphere, high temperature, and easterly winds.

27. It is in the recollection of one of us, that in the summer of 1819 there was a continuance of dry weather until about September, when rain fell abundantly every day. The rector remembers that it was a dry and very warm summer in 1843, and that rain did not fall copiously until after the 15th October.

28. The temperature was higher, and more rain fell in 1853 than is generally the case during the same season.

29. Persons of plethoric habit of body, and natives of northern climates.

30. If we are to judge from the events of 1843 and 1853, we should say that the inhabitants of the colony are more exempt than Europeans. We believe the coloured people to be specially so, as a body.

31. We think that it may be communicated by all the means here enumerated, but chiefly inhalation.

32. They may not originate yellow fever, but they may assist in spreading infection.

33. We would suggest cleanliness and free ventilation.

34. Separation of the sick from the healthy, and dispersion of the latter, with a scrupulous regard to cleanliness.

35. Success appeared to attend the dispersion of the force.

36. The natural salubrity of the climate we think to be the cause.

37 and 38. Unanswered.

State as accurately as you can the number of cases of yellow fever which occurred in your parish between the 1st July and 31st December 1853, and the number of such persons who died of that disease within that period, exclusive of persons on the naval, military, and convict establishment, and furnish a nominal list of those who died?—Twenty-one cases, of which two children died. There was an adult in addition, said to be a doubtful case. Joseph Hall, buried 14th November 1853. Mary Freswell, buried 3d December 1853. The doubtful case was James Reeves, buried 12th November 1853.

Are you aware of any infringement of the quarantine laws during that period, and if so, state the particulars?—We are not aware of any infringement.

(signed) *J. F. Lightbourn*, Rector. *Richard W. Tynes.*
H. W. Robinson. *W. C. Tynes.*
Benjamin W. Cox. *William J. Cox.*
E. B. Perot. *Richard J. P. Darrell.*
L. Griset, V. C.

Appendix.

No. 33.

Answers of the Members of *Pembroke* Vestry.

Answers of the Members of Pembroke Vestry.

1. The rector was appointed officiating clergyman to the troops in Hamilton in 1833.

2. In 1818 and 1819 the fever was more fatal amongst the natives, particularly among young people from 15 to 20 years of age. There were no military stationed on this side of the ferry at that time. In 1843 it was principally confined to Europeans and the military.

3. The first case of yellow fever in Pembroke parish occurred early in September 1853, among some children connected with a family who were known to have come from St. George's. The first death was that of a Portuguese, by name José Oliviera Mentz, who caught the fever in St. George's.

4. In Pembroke parish. The child recovered. The Portuguese was a well-defined case of yellow fever, as we were informed.

5. Unanswered.

6. We are of opinion (with the exception of the rector, who cannot make up his mind on the subject) that it was imported.

7. We (with the exception alluded to in the last answer) have continued in the same opinion, both before and since, namely, that it was imported.

8. We think that it is communicable, and we cite, in proof of its being so, the case of the Portuguese above mentioned.

9. Numbers of persons living together, a high temperature, and an impure state of the atmosphere are, we conceive, the circumstances under which it may be communicable. It may be communicated also in a pure atmosphere by inhalation or contagion.

10. We possess no accurate information on this point.

11 to 17. Unanswered.

18. It is our belief that the town of Hamilton is kept clean, and is generally in a healthy state.

19 to 24. Unanswered.

25. We are of opinion that there is no fever endemic to Bermuda.

26. Moist atmosphere, with high temperature and easterly winds.

27. We have no means of comparing them, further than that it is in the recollection of one of us that there was a continuance of dry weather in 1819 until about the end of August, when rain fell in great abundance, and that the rector remembers that the summer was dry and very warm in 1843, and that rain did not fall in any quantity until towards the end of October.

28. The temperature was higher, and more rain fell in 1853, than is usually the case during the same season.

29. Plethoric persons and natives of northern climates.

30. It is our opinion that the inhabitants of the colony, especially the coloured portion, are more exempt than Europeans and natives of other northern climates, judging from the events of 1843 and 1853.

31. We are persuaded that it can be communicated by all these means.

32. We do not conceive that they would produce yellow fever, but think that they may aid in spreading infection.

33. Cleanliness.

34. Dispersion, where large bodies of persons are congregated, and strict regard to cleanliness.

35. The result was ultimately successful.

36. From there not having been till of late years much intercourse with infected ports, and from the general salubrity of the climate. The rector, from the position in which his doubts have placed him, can only join (with any degree of decision) in the reason last given.

37 and 38. Unanswered.

State as accurately as you can the number of cases of yellow fever which occurred in your parish between the 1st of July and the 31st December 1853, and the number of such persons who died of that disease within that period, exclusive of persons on the naval, military, and convict establishments, and furnish

furnish a nominal list of those who died?—About 26 who recovered, and 27 who died. The following is a nominal list of the latter:

NAME.	AGE.	COUNTRY.	BURIED.
José Oliviera Mentz	- - -	Of Madeira	3 Oct. 1853.
John A. Thompson	8 years	Native	5 – –
Samuel Wesley Hallett	4 yrs. 8 mths.	Native	5 – –
William Henry Gibbons	6 „ 7 „	Native	8 – –
Sarah Cecilia Barss	9 years	Native	12 – –
James C. Falconer	26 „	Of Scotland	14 – –
Marie Fernandez	40 „	Of Madeira	15 – –
William Grant	39 „	Of England	18 – –
Stephen Simms	20 „	Of England	27 – –
George Prince	19 „	Of Halifax, N. S.	27 – –
Mary Anne Finlater	9 „	Native	28 – –
George Empson	18 „	Of London	30 – –
John Meaney	32 „	Of Ireland	31 – –
Daniel M'Coy	29 „	Of Scotland	31 – –
Jane Finlater	4 yrs. 3 mths.	Native	31 – –
John Shea	38 years	Of Halifax, N. S.	1 Nov. –
James Milne	32 „	Of Scotland	2 – –
George Finlater	6 „	Native	4 – –
José de Fratis	22 „	Of Madeira	8 – –
James George	17 „	Of London	9 – –
Thomas W. Day	19 „	Of London	11 – –
Rev. Thomas Lyon, R. C. P.	36 „	- - -	13 – –
William Akin	28 „	Of Canada	13 – –
Frederick Swainson	40 „	Of England	21 – –
Mary Adelaide Kirkham	22 months	Native	27 – –
Richard S. Peper	46 years	- - -	28 – –
Louisa Susan Kirkham	6 „	Native	1 Dec. –

Are you aware of any infringement of the quarantine laws during that period, and if so, state the particulars?—We are not aware of any infringement.

(signed) *J. F. Lightbourn*, Rector.
Thomas F. Ewing,
James Turo,
Samuel Salters,
Joseph Wood,
Charles Keane,
N. T. Butterfield,
Thomas Newbold,
William B. Perot,
Samuel Watson,
Samuel Nash,
John Black,
A. J. Harvey,
Pembroke Vestry.

No. 34.

ANSWERS of the Members of *Paget* VESTRY.

1 to 20. UNANSWERED.

21. Shortly after the appearance of the disease in St. George's, a meeting of the vestry of Paget parish took place, and measures were adopted for the purpose of having the houses cleansed and purified, and removing any filth that may be found in the parish, which were carried out between the 17th and 22d September.

22 to 27. Unanswered.

28. An unusual quantity of rain fell in 1853.

29. Unanswered.

30. Native residents appear less liable to yellow fever than persons from northern climates.

31 to 38. Unanswered.

State as accurately as you can the number of cases of yellow fever which occurred in your parish between the 1st July and 31st December 1853, and the number of such persons who died of that disease within that period,

Appendix.

Answers of the Members of Paget Vestry.

exclusive of persons on the naval, military, and convict establishments, and furnish a nominal list of those who died?—The persons reported to have died from yellow fever in our parish between the 1st July and 31st December 1853, are Elizabeth M'Ronald (parents Northerners), aged about 8 years; Sarah Walton (European), aged 56 years; John Adair (European), aged 36 years; Harriet Jones (European), aged about 11 years; Christina Jones (European), aged about 9 years; and Cecilia Barss (native, father a Northerner), aged about 10 years.

Are you aware of any infringement of the Quarantine Laws during that period, and if so, state the particulars?—With reference to this question, we can only state that on the 11th October a corpse was landed from the brig "Charles," from Demerary, anchored in the quarantine station at the West-end, and buried in the churchyard of this parish, said to be the wife of the captain, and to have died of yellow fever, although at the time of interment the rector was positively assured that the deceased had died of kidney complaint, and not of any infectious disease.

(signed) *M. K. S. Frith*, Rector. *Edward H. Smith*,
T. M. D. B. Godet, *T. M. Jones*,
S. J. Ingham, *Samuel S. J. Frith*,
Samuel J. Smith, *Henry J. Hinson*, M. D.,
Duncan M'Coll, Vestry of Paget Parish.

No. 35.

ANSWERS of the Members *Warwick* VESTRY.

Answers of the Members of Warwick Vestry.

1 to 38. UNANSWERED.

State as accurately as you can the number of cases of yellow fever which occurred in your parish between the 1st July and 31st December 1853, and the number of such persons who died of that disease within that period, exclusive of persons on the naval, military, and convict establishments, and furnish a nominal list of those who died?—There has been no case of yellow fever in Warwick parish between the 1st July and 31st December 1853.

Are you aware of any infringement of the Quarantine Laws during that period, and if so, state the particulars?—Unanswered.

No. 36.

ANSWERS of the Members of *Southampton* VESTRY.

Answers of the Members of Southampton Vestry.

1 and 2. UNANSWERED.

3. The 17th day of September 1853.

4. It is believed that the first case originated from St. George's, in the case of Mrs. Isaac Cooper going there to visit her son, who died there with it, and ended fatal to herself and daughter, who died in this parish, of black vomit.

5. Unanswered.

6. We believe it was brought from abroad.

7. Unanswered.

8. We believe it is, as it went through two families in this parish.

9. From inhaling the breath of a person that is infected.

10 to 20. Unanswered.

21. There were not any restrictions.

22 to 25. Unanswered.

26. The south and east winds.

27. Unanswered.

28. It was a very hot summer, and more rain than usual.

29. The Northerners.

30. The inhabitants are more exempt.

31. It can be communicated either way.

32 to 35. Unanswered.

36. Owing

Answers of the Members of Southampton Vestry.

36. Owing to the climate being healthy.
37 & 38. Unanswered.

State as accurately as you can the number of cases of yellow fever which occurred in your parish between the 1st July and the 31st December 1853, and the number of such persons who died of that disease within that period, exclusive of persons on the naval, military, and convict establishments, and furnish a nominal list of those who died?—There were many cases recovered, and the number of deaths in Southampton parish were nine, and all were natives.

Are you aware of any infringement of the Quarantine Laws during that period; and if so, state the particulars?—Unanswered.

By order of the Vestry of Southampton Parish,

(signed) *Robert Hoare.* *Forster M. Cooper.*
W. Todd Cooper. *John D. Bell.*
13 January 1854. *James B. Harrison.* *James Watson.*

No. 37.

Answers of the Members of *Sandy*'s Vestry.

Answers of the Members of Sandy's Vestry.

1 and 2. Unanswered.
3. We learn that the first case occurred in this parish on the 12th September 1853.
4. The first case originated on the Glebe, in a man who had been to St. George's a few days before. He recovered.
5 to 30. Unanswered.
31. It has come to our knowledge that persons who had visited St. George's were seized with the fever soon after returning, and communicated it to their families.
32 to 38. Unanswered.

State as accurately as you can the number of cases of yellow fever which occurred in your parish between the 1st July and 31st December 1853, and the number of such persons who died of that disease within that period, exclusive of persons in the naval, military, and convict establishments, and furnish a nominal list of those who died?—We cannot state accurately the number of cases that have occurred in this parish. Two persons have died of yellow fever in this parish; one an European, aged 35, male; one a native, aged seven, male.

Are you aware of any infringement of the Quarantine Laws during that period; and if so, state the particulars?—We know of no infringement.

By order of the Vestry,

(signed) *Robert Hoare*, Rector.
R. F. Burrows, V. C.

No. 38.

Answers of the Rev. Mr. *Thorburn*, Presbyterian Minister.

Answers of the Rev. Mr. Thorburn.

I am a minister of the Gospel, and have been nine years in the service; nearly eight of these were spent in Jamaica.

2. I was in Edinburgh during the cholera epidemic of 1852; I think that is the date. I was also in Jamaica during the most fatal visitation of the same disease in 1850–51, and during the prevalence of small-pox in 1852. I came much in contact both with the cholera and small-pox patients in Jamaica, but chiefly in a professional capacity.
3. About the end of October.
4. In the town of Hamilton.

Appendix.

Answers of the Rev. Mr. Thorburn.

5 to 7. Unanswered.

8. My impression is, that the late prevailing disease was communicable, though I cannot mention particular instances.

9 to 38. Unanswered.

No. 39.

Answers of the Rev. *Isaac Whitehouse*, Wesleyan Missionary.

Answers of the Rev. I. Whitehouse.

1. I have resided in Jamaica 19 years, and seven years in the Bahamas. I arrived in Bermuda in July last.

2. Unanswered.

3. The first case that came under my personal observation occurred early in the month of September last.

4. The case referred to occurred at St. George's; the subject was a person of the name of Galway; his situation was that of constable. I understood that his habits were temperate. The case ended fatally. The patient vomited a considerable quantity of black matter during my pastoral visit, on the evening preceding his death.

5. Unanswered.

6. I am scarcely in a position to offer an opinion as to the origin of the disease, which I have no doubt was the yellow fever, of a most malignant type.

7 and 8. Unanswered.

9. In answering this and the preceding question, I would take leave to observe, that I have long been of opinion that the disease is communicable, especially when it assumes an epidemic form; and that various circumstances may occasion its spread, as close attendance on the patient, &c.

10. I am unable to arrive at a definite opinion upon this point.

11. I am of opinion, founded upon lengthy observation, that swampy situations, abounding with vegetable matter in a state of decomposition, can and do, under special circumstances, produce yellow fever.

12 to 30. Unanswered.

31. *See* my Answer to Question 9.

32. Decidedly so.

33. Cleanliness has doubtless tended to prevention, and it appears to me very desirable that the local authorities should be empowered, if they are not so already, to compel persons to pay proper attention to their dwellings and premises, where compulsion may be necessary, and that particular localities calling for especial attention in this respect should be visited by persons duly authorised periodically to report and obtain the removal of nuisances. Lime-washing of dwellings generally, and of those of the poor especially, periodically attended to, would conduce to health.

34 to 36. Unanswered.

37. I do not know the exact proportion; but the mortality amongst the natives during the recent epidemic has been small compared to that amongst Europeans.

38. Unanswered.

(signed) *Isaac Whitehouse*,
Wesleyan Missionary.

No. 40.

Answers of the Rev. *Patrick Phelan*, Pastor of the Roman-catholic Soldiers and Prisoners.

Answers of the Rev. P. Phelan.

1 and 2. Unanswered.

3. On the 19th of August; I did not know then it was yellow fever.

4. At Fort Cunningham, when called to visit the patient (a soldier's wife), I expected that she was suffering from cold, but when I saw her I was surprised and perplexed; apparently conscious of my presence, she neither spoke nor moved, and there was a something in the cast of her countenance unlike any patient I had previously seen. I anxiously inquired what the doctor said it was; I was

Answers of the Rev. P. Phelan.

I was told he said it was brain fever. She died on the 20th. It was currently believed at St. George's that that was the first case of yellow fever.

5. I was in constant attendance on the Roman-catholic prisoners and soldiers during the prevalence of the fever at St. George's. I also visited the other stations.

6 and 7. Unanswered.

8. I believe the fever is communicable. I saw prisoners waiting on their sick comrades, and who imagined that they were not liable to contagion, take it themselves and die.

9 to 15. Unanswered.

16. Since January 1852. As pastor to the Roman-catholic soldiers and prisoners.

17 to 38. Unanswered.

(Unsigned.)

No. 41.

Answers of *J. H. Trott*, Esq., Provost-Marshal General.

Answers of J. H. Trott, Esq.

1. Fifteen years as Provost-Marshal, during which time I have resided altogether in the colony, and for a long period prior to that, having been occasionally absent.

2. Unanswered.

3. About the 10th September 1853.

4. At St. George's, in the person of the superintendent of the prisoners at the gaol there, a European, who died of black vomit, after six days' illness.

5. Unanswered.

6. That it was imported, and that it is contagious in its nature.

7. I have never believed that it originated in the colony during its late or any former prevalence.

8. I do; and I am confirmed in that belief from the following circumstances: that the gaoler at Hamilton, a European, in whom it ended fatally, was attended by four persons, three of whom were Europeans and one a native. The three Europeans took the fever shortly after his death; it ended fatally in one; a second suffered severely; the third had it mildly; whilst the native escaped.

Again, Mrs. Cooper, who resided 13 miles distant from St. George's, visited there, and attended in the sick-room on her son, who died of the fever; on her return home she was seized with it and died, as did also another of her children.

9. By constant attendance on a patient sleeping in the same room, or by inhaling the unwholesome effluvia arising from foul clothes or a confined room.

10. Under the conviction that it was imported, I believe that it was introduced by the steamer "Merlin," on or about the 25th or 26th June 1853, on her arrival from the island of St. Thomas, at which place the yellow fever was prevailing; that steamer landed the dead body of a female at St. George's, which was buried in the churchyard of the town, and which person is said to have died of yellow fever. The same steamer, after landing her mail-bag, proceeded to Her Majesty's naval yard, Ireland Island, where she was coaled by convicts. The captain has given unsatisfactory accounts of his conduct after the death of his passenger, which induces the belief that the nature of the disease of which she died was of a contagious description.

I was in St. George's the morning the "Merlin" left the port, and much dissatisfaction was manifested on the part of the inhabitants at the loose manner in which that vessel was allowed to enter the harbour and bury that corpse. I am aware that fever is said to have existed at Boaz Island prior to that date; but I am firmly impressed in the belief that the "Merlin" imported it too.

11 and 12. Unanswered.

13. Exposure to night air, and the soldier being unaccustomed to the sudden changes of the climate, might be less careful of his dress, and thus render him more susceptible of fever.

14. Unanswered.

Appendix.

Answers of J. H. Trott, Esq.

15. I do not think the locality of the troops can be altered for the better. The localities, capacities, and general eligibilities of the hospitals, both at St. George's and Ireland Island, are excellent, so far as my judgment leads me to believe.

16. I have never been stationed at St. George's, but have been in constant intercourse with the town for many years, more particularly since my official appointment; during the months of September and October was unusually called there on duty.

17. The Island of St. George's, in which the town is situated, is bounded on the east and north by the ocean; the tides flow all around its shores, and leave little chance for the accumulation of filth. There is a strong current always running in at one point of the harbour, and out at the other, which materially assists, with the aid of the winds, in carrying off floating substances. The tides do not ebb sufficiently to render the smell from submarine substances offensive; there is a small portion of the beach in the neighbourhood of the "Thames" hulk which might, from continuous south winds, render that particular neighbourhood likely to aggravate disease by the filth from the ship floating directly ashore. The streets and lanes of the town are somewhat confined, but the town has by no means a crowded population, the entire number in the whole parish, with its adjacent islands, not exceeding 2,000, exclusive of the military; these latter, however, reside principally in the forts and barracks which overlook the town, the harbour, and the ocean, and are pleasantly and healthily situated. The means of draining the town can, I think, be easily effected, if needed. The chief burial-ground is the churchyard in the centre of the town, which is about to be abandoned. There are three small slaughter-houses, which are immediately over the waters of the harbour, and by which they appear to be kept clean. Pigstyes have been rather too common, and regulations for the prevention of them in future are under consideration. I do not believe that disease can be engendered in such a spot; there is no part of St. George's Island more than half a mile in breadth; its contiguity to the ocean, receiving, as it does, the freshness of its breeze and the lash of its waves, precludes the chances of it, when compared to the more inland town of Hamilton, where, from the prevailing south-west winds in the summer season, the filth from shipping, and more particularly that from the barracks, is swept down the harbour and lodged along the shores till it reaches the foot of the harbour, where in connexion with dead carcases, which are too frequently to be seen, and the peculiar location of that spot, situated under surrounding hills, with a dense foliage, amongst which are mangrove trees growing in a soft marshy substance, render that spot one to be guarded against. The smell from the barrack privy in the town of Hamilton (with the summer winds) makes an immediate impression on the nasal senses directly on your entrance to that town. I think it is a great reflection on the authorities to permit its existence in its present conspicuous spot, more particularly as it is located within 30 yards of a gentleman's dwelling-house, and within 12 or 14 yards of the front and main street.

18. Unanswered.

19. St. George's, as well as the main island, has been visited two or three times by yellow fever since 1818, and its mortality chiefly (on each occasion) confined to foreigners. Natives comparatively few.

20. Unanswered.

21. None that I am aware of, I regret to say, until it was too late. The "Thames" hulk had numbered its dead to an alarming extent before the convicts were removed from the hulk. The surgeon of that ship, who was also health officer of the port, in a letter, under date of 30th August, published in one of the journals, denied the existence of yellow fever; that letter, I believe, had a tendency to throw many persons off their guard, and thereby assisted instead of arresting its progress. That hulk lay immediately under the cliff of Barrack Hill, where the 56th was quartered, and not till one-fourth of the number of its convicts had died, and after 106 of the military were declared to be sick of fever (by the "Royal Gazette") did the removal of the head-quarters take place, and that date was about the 13th or 14th September; and had not certain portions of the military been transferred to Prospect Hill, I believe the disease would never have been felt in that neighbourhood. I cannot imagine worse management; such delays in future cannot be too strongly guarded against.

22 and 23. Unanswered.

24. I am

24. I am unable to answer the first part of this question. With regard to "her position in a sanitary point of view," it must be remembered that she is moored close to the shore; and such portion of the filth as is not carried away with the tide must float ashore (if the wind happens to be south), and thereby aggravate disease, particularly in hot and sultry days.

25. I believe not.

26. Damp, close atmosphere, with the winds veering from east to south.

27. Unanswered.

28. The weather was extremely hot through the whole summer, and an unusually heavy fall of rain during the months of September and October.

29. In full and robust habits; with regard to foreigners, I believe, it has paid very little deference to any class of persons.

30. The inhabitants (native) do not appear to have taken it so freely as Europeans; among those of the natives attacked, it appears generally to have been more fatal to children, and chiefly among the white population.

31. See Answer to Question 9.

32. I do not think there is a sufficiency of either to justify such a conclusion, except it be from decomposed vegetable substance in the large marsh in the neighbourhood of Hamilton, and those substances alluded to at Question 17.

33. I do not know any that have been very carefully observed. I would suggest, 1st. A rigid observance of the Quarantine Laws, to effect which the health officer should be amply paid for his services, and be totally unconnected with any other place of profit, save that which immediately relates to his profession. 2d. As the colony cannot afford to do this *in toto*, I think it would be advisable for it to co-operate with the Government, and vest that office in the person whom I shall speak of in my next answer. The garrison colony and convict establishment will, I think, be mutually benefited thereby. Persons in the Government service are likewise accustomed to obey orders, and will obey them unflinchingly. It was performed in 1819 by Dr. Williams, of the army.

34. 1st. The instant dispersal of the troops, or any other body of persons similarly collected. 2dly. That all communication with the patients should be immediately cut off by Europeans. 3dly. The removal of the patient to a floating hospital, which might be kept at a moderate expense, when compared with innumerable occurrences that might otherwise take place, or to some island, and there be nursed by a native; for I conceive it to be a fatal error to permit foreigners to wait on each other among a large body like the garrison or convict establishment. The disorder, particularly if a dispersal of the troops, &c. does not immediately take place, must spread like wildfire, and it is unreasonable at that time to expect to find nurses; the effect then is inevitable. And 4thly. I would recommend that in the medical department there should be a veteran whose judgment and experience can be relied on, one who can give proper effect to his orders, and not be influenced by any in authority over him. I should think that a person of this description might, if he is on the staff or otherwise, easily do the duty of quarantine officer. If in St. George's, he is close to the entrance of the harbour, and can board vessels in any weather; if at the dockyard, he is within a few hundred yards of the channel, and can either bring them to anchor at "Grassy Bay," or send them to "Granaway's Deep." There are, ordinarily speaking, from 1,800 to 2,000 persons in the Government service, all foreigners, to say nothing of the naval squadron on the station; and I do humbly suggest that this recommendation is worthy of consideration. Lastly, on this head I will offer one more recommendation, which is, that the younger medical officers in the medical department, as conveniency may offer, be sent to the more tropical climates to collect information upon the treatment of this horrid disorder; for I think, from their signal failure in the late fever, they must have mistaken the disease, and I am induced to think so, from the fact that one of them openly declared in the public newspaper that it was "not yellow fever;" another in the following "Gazette" said that it was "yellow fever of a mild sort;" but whatever might have been the colour of it, or type, its mortality was fearfully at variance with their assertions, and without a parallel in this climate.

35. The head-quarters of the 56th, which was sent to the Ferry Point, were encamped immediately alongside of the road. I passed them very frequently, and

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Answers of J. H. Trott, Esq.

had an opportunity of making close inquiries, and after a few days had the satisfaction to learn that they ceased to be attacked, and continued healthy so long as they remained in that spot.

There were, unfortunately, a few cases of the sick or convalescents carried to Prospect Hill, to which I attribute the spread of the disease in that neighbourhood.

36. It is, I think, chiefly owing to its geographical position, and the general healthfulness of its climate.

37. I do not know exactly, but it was very small.

38. I cannot urge my suggestions too strongly at 33 and 34. I am strongly impressed with the idea that our Quarantine Laws cannot be too rigidly enforced, more particularly as we are now, by means of steam communication, placed in immediate contact with those islands and settlements in the hotter climates in which the disease so frequently exists; and although it might be proved that yellow fever existed at Boaz Island prior to the arrival of the "Merlin" in June, it does not, consequently, prove that she did not import it also. I cannot reconcile its existence at the western extremity of the island, and then at the eastern extremity, whilst the whole intermediate space is left untouched until the Prospect Hill spread it. If it is to be accounted for by the constant communication, that fact would establish contagion, and hence another reason for the rigid enforcement of Quarantine Laws.

(signed) *J. H. Trott*,
Prov.-Mar. General.

30 January 1854.

No. 42.

Answers of Coroner *Keane*.

Answers of Coroner Keane.

1. I was elected coroner on the 23d March 1848. I have never served in that capacity in any other climate.

2. My experience during the visitation of yellow fever in 1843 was extremely limited, being confined almost altogether to the putting up of prescriptions sent to me, as a chemist, by medical men.

3 to 5. Unanswered.

6. It is my present belief that the disease was not originated here.

7. In no respect different from the opinions I have always entertained.

8. I think it communicable. The case of Mrs. Cooper at Port Royal was a striking illustration. Her son died in her arms of fever at St. George's. She returned to Port Royal, a distance of 15 miles. She was seized with the epidemic, and communicated it to her whole family of children, two of whom, with herself, died. There was not a case in the parish prior to her arrival from St. George's.

9. Unanswered.

10. Not residing in St. George's when it originated, I am not capable of giving a correct statement.

11. to 17. Unanswered.

18. In Hamilton the night-soil is received in deep pits; to the best of my knowledge they are but seldom cleaned out, but the very porous nature of the rock might in some measure obviate the necessity of so doing.

19 to 24. Unanswered.

25. I think not.

26. A close moist atmosphere, a warm temperature, and easterly winds.

27. Unanswered.

28. The temperature was very high; I never saw a more rainy season.

29. Europeans or natives of a northern climate, and also those of a full or plethoric habit.

30. I think the inhabitants are more exempt, particularly the coloured persons.

31. I believe it can be communicated by any of the above.

32. I do not.

33. Cleanliness and temperance.

34. Unanswered.

35. To the best of my belief, the separation of the troops was beneficial.

36. In

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Answers of Coroner Keane.

36. In my opinion, there are no natural causes.

37. I cannot state with sufficient accuracy the proportion, but among the Europeans the mortality was very much greater.

38. The mortality amongst the troops and convicts having been so much greater than amongst the colonists, might it not be worthy of consideration whether a change in the dietary of the former, somewhat assimilating to that of the latter, could not be made, *i. e.* whether a semi-weekly issue of fresh fish, and a larger proportion of vegetables, on the remainder of the week, might not be productive of benefit?

(signed) *Charles Keane*, Coroner.

No. 43.

Answers of Coroner *Tucker*.

Answers of Coroner Tucker.

1. For seven years and upwards a justice of the peace, and six years coroner, in these islands.

2. I was with several persons labouring under yellow fever in 1819; and in 1843 I attended on four of my children, and a servant, ill of the same disease.

3. On the 17th August 1853.

4. On board the hulk "Thames," where I was called on as coroner to hold an inquest on a convict by the name of "Robert Hall," who died near midnight of the 16th. From the appearance of the body, I was quite of opinion that the man died of yellow fever. Dr. Joseph S. Hunter, the surgeon, in his evidence stated, that "in consequence of some obscurity of the symptoms, I for my own satisfaction had a *post mortem* examination this morning, when the body exhibited the usual appearance of fever. The immediate cause of his death I consider gastric fever."

5. Unanswered.

6. I am of opinion that the origin of the disease was by importation.

7. Previously to the breaking out of the fever in a general form, I had entertained no opinion as to its origin.

8. I do think it communicable. A Mrs. Cooper, who came from Southampton parish (where there had not at that time been a single case of yellow fever) to St. George's, to attend on her son, who died of the late epidemic, was soon after her return to Southampton attacked, and died of the fever; her daughter, who attended on her during her illness, shortly after died of it. In 1819 I was ill of yellow fever in less than 24 hours, after having been in a room for some time with a person dying of the disease. I could mention other cases of a similar nature.

9. By inhaling the breath, and remaining for any length of time in a room with a person labouring under the disease.

10 to 14. Unanswered.

15. I consider the barracks and hospital in St. George's far more eligibly situated than they could possibly have been in any other part of the colony. The salubrious situation of the barracks is generally remarked by strangers visiting these islands. There is no marsh land in St. George's. The barracks, or the houses hired for the purpose, in the town of Hamilton (the land to the north of which is low and very marshy), are in the front street of the town, and almost surrounded with inhabited houses. The barracks at the dockyard, like those in St. George's, are on an eminence.

16. Unanswered.

17. The soil generally n St. George's parish is what is called "Adam," or red soil. The town of St. George is contiguous to, and westward of, the barracks. The corporation occasionally inspect the back yards and lanes of the town. This was done in the month of June 1853 (some time previously to the breaking out of the fever), when everything of an offensive nature was removed. The burial-ground is in the town; scarcely a case of fever, however, occurred in the houses adjacent thereto. There are two slaughter-houses, which are kept very clean. The number of cattle slaughtered is about six per week. The number of pigs

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Answers of Coroner Tucker.

kept in the town is less than in 1819 and 1843 (owing, I presume, to agriculture being more general than at those periods); there are a few pigstyes in town.

I do not consider that the fever was in the slightest degree engendered or aggravated by the situation and condition of the town of St. George, which has hitherto been afflicted by epidemics far less than other parts of the colony. The harbour of St. George's has three outlets to the ocean, which is peculiar to that harbour alone.

18. The night-soil is thrown into the harbour or privies. Few of the houses have cesspools.

19. As observed in answer to question No. 17, St. George's has been less frequently visited by epidemic diseases than other parts of the colony. The natives have suffered but trifling, in comparison to the adventitious population.

20. Unanswered.

21. The town of St. George's was repeatedly fumigated. A quantity of Government bedding was burnt, which, from all I have heard, aggravated instead of mitigating the disease. The bedding was used, I was informed, by persons who died of the epidemic. The effluvia arising from that burnt near the hulk "Thames" was intolerably offensive.

22. The convicts are, from what I have heard, well fed and attended to. Whenever I have been called upon to hold inquests on board the hulk "Thames," the evidence has shown that the sick have always been cautiously taken care of.

23. Unanswered.

24. I do not know how long the "Thames" hulk had been moored in St. George's Harbour; her position was certainly not a good one in a sanitary point of view, being under a hill, and entirely shut out from the north winds. I have frequently heard it remarked that she would have been better afloat. This remark was made both prior to and after the breaking out of the disease.

25. No.

26. The atmosphere has generally been close. The temperature unusually warm, and the wind east, when yellow fever has spread in Bermuda.

27. During the fever of 1843 the atmosphere, temperature, and winds (which were for the most part east) were very similar to those of 1853.

28. The temperature was higher than usual, but not higher than in 1843. Much more rain, however, fell than isusually the case during the same season.

29. Robust constitution.

30. The inhabitants are more exempt from yellow fever than Europeans. The coloured population seldom suffer from its effects.

31. Refer to Answer to Question No. 8.

32. The fevers of 1819 and 1843 were at that time distinctly ascertained to have been imported; nor have I ever until now heard it argued that yellow fever may be produced in unfavourable states of atmosphere, or from other causes, at Bermuda.

33. Unanswered.

34. The dispersion of the troops and convicts. During the late epidemic, on holding an inquest on board the hulk "Thames," there were over 70 men (as I was informed) lying very close together on the upper deck, all suffering from and in various stages of the disease. For the want of room, there was no separation of the healthy from the sick.

35. In 1843, after the early removal of the troops to Ferry Point, and placing the sick in well-ventilated rooms, the fever abated. The separation of the troops during the late epidemic was not made until very many were affected by it.

36. From the peculiar position of the islands, I presume, being in the middle of the Atlantic, and in a mild latitude.

37. Not more than four or five per cent.

38. In a pamphlet, published at Edinburgh in 1821 by a Bermudian, I find the following, which it may (though perhaps not very material) be as well to record here: "Per æstates annorum 1818 et 1819, febris pestiferæ naturæ, quæque omnia signa ostendebat (quantum colligere potui) febris flavæ, in insulâ Bermudâ accidit. Hæc insula autem puritate aëris semper celebris fuit, quodque desiderabat omnes hos morbos qui in Indiâ Occidentali tantopere semper sævierunt. In pluribus autem partibus ejus paludes sunt satis amplæ, terraque in quam navalis statio constructa est locaque vicina admodum humilia sunt, sæpeque

sæpeque mari increscente æstu lavantur. Calor autem per dictas æstates major fuit quam antea unquam cognitus erat. Thermometrum plerumque inter 85° et 90° fuit, sæpeque prope 100°. Febris primum se ostendit eâ insulâ in quâ statio navalis sita est. Sustulit plerosque ex iis qui operibus superfuerunt, quique in iisdem occupati sunt. Ex quatuordecim autem de societate militari, qui nuper ex Angliâ advenerant, duodecim mortui sunt; eâdemque vehementiâ morbus inter milites legionis sexagesimæ secundæ in anno 1818, et legionis quintæ decimæ in 1819 sæviit. In proximâ autem legione etiam plures mortui sunt, ideo fortasse quia altera legio diutius in insulâ fuerat antequam morbus incepit. Perpauci ex indigenis, pro ratâ parte, mortui sunt. Ut autem colligantur alia testimonia potestatis miasmatum ex paludibus ad movendas febres, solum referam ad opera Joannis Pringle, Equitis, Doctorisque Clarke." The title of this pamphlet is "Dissertatio Medica Inauguralis de Febre Flavâ."

With regard to the much-talked-of fever of 1796, the following has been recorded: "Governor Campbell was taken on the 25th November, at noon; he was seized with a kind of shivering, and pain in his back and loins, which terminated in yellow fever. The first unfavourable symptom was a stoppage of urine, as none came into the bladder; that was in some degree removed; but the vitiated state of his stomach, on which nothing would remain, and what is called "black vomit," were the symptoms that left us but little hopes of his recovery. He had three strong convulsive fits, recovered his senses perfectly after the two first, but the third terminated in his death, this afternoon, at half-past three o'clock, 2d December 1796."

27th February 1854. (signed) *J. Brownlow Tucker.*

No. 44.

Answers of *John T. Fisher*, Esq., J. P.

1. Fifteen years, as justice of the peace and police magistrate of the town of St. George's, in which town I have resided more than 40 years.

2. In the years 1819, 1843, and 1853, I visited and remained at night in a friendly way with some persons who were ill with yellow fever, and saw its effects on those, as also on others at my own residence.

3. The first case of the late epidemic fever that came under my observation was on the 7th September last, in the person of the late Mr. Tapp, of the Ordnance department.

4. Mr. Tapp was clerk at Ordnance Island, where he was employed daily from nine o'clock, a. m., to three o'clock, p. m. His residence was not far from the convict hulk "Thames," on board of which vessel the yellow fever commenced about the middle of the previous month, August; his case ended fatally, and was a well-defined case of black vomit. I was with him all the night previous to his death on the 8th September last. I believe this was the first case in the town excepting the convict guards, and one or two others who attended inquests on board of the "Thames," who no doubt brought it from that vessel into the town. Several persons who attended inquests there in August, died in September following, and of these Mr. Cusack died very near the domicile of Mr. Tapp on the 4th September last. It was difficult to find persons for an inquest there at the latter part of August.

5. Unanswered.

6. I think that the late epidemic fever was imported, and that it was contagious.

7. Unanswered.

8. I am of opinion that it is communicable. Mrs. J. D. Cooper came from the parish of Port Royal here early in September last, and attended her son, who died of black vomit; she afterwards returned to Port Royal, which parish was then understood to be in a healthy state; was taken ill and died about the 17th of the same month; others related to her were also taken ill, some of whom died soon after.

9. By inhaling the breath of a sick person, or remaining long in attendance in a sick chamber, or by frequently handling the garments of fever patients.

10. I have reason to believe that the fever was introduced into this parish by

Appendix.

Answers of J. T. Fisher, Esq., J. P.

the steamer "Merlin," from St. Thomas, or from the naval yard. A lady passenger died on board of the "Merlin," and was buried in the town on the 25th June 1853, some say of fever, others say not. On the following day that vessel went to the naval yard, and was coaled there by a lot of convicts, returned to St. George's, and left for New York on the 27th June. It is very remarkable that the wife of the pilot, and another at his house, with several others at St. David's Island, opposite the town, where the pilot resided, were the first persons in this parish that were taken down with fever. On the 2d August, about a fortnight before it reached the convict hulk "Thames," one of these (Samuel Fox) died there with black vomit; prior to this date, I learn from good authority that many deaths occurred at the naval yard, and the fever did not reach the "Thames," at St. George's, till about the 16th August, after which it spread among the troops and the inhabitants. The communication from the naval yard and St. David's Island with the "Thames" was constant and unremitted.

11. Unanswered.

12. The troops diet on good fresh and salt meat, bread, and vegetables; they generally occupy the Royal Barracks and forts, all of which are in healthy localities, elevated above other parts of the island.

13. I cannot say, unless that some of the men who may be exposed to the heat of the day in summer would be more sensible than the natives of the occasional sudden changes of the atmosphere at night.

14. Unanswered.

15. It would be difficult, I think, to point out anything in the localization of the troops at St. George's that would affect them unfavourably, after the removal of the "Thames." The beach below Barrack Hill to the south, and the property in rear of the barracks to the north, belongs to Government, and can be kept perfectly clean. I consider that the burning of a large lot of clothes and bedding, which were taken from the "Thames" to said beach, affected the men unfavourably. The localities and general eligibility of the barracks and hospitals, both at St. George's and at Ireland, are very good.

16. *See* No. 1.

17. The soil at the town of St. George's is light and porous; that at the Island of St. David's quite the reverse, being red clay and principally on limestone. St. George's is situated to the westward of the barracks and all the forts except Fort George. The small house, lanes, and back-yards are often examined by order of the corporation, and cleaned out when required; this was done about the commencement of last summer. Some drains lead into the privies, and the whole contents are buried in deep pits; others lead into the harbour. The tides ebb and flow about four feet, and their influence is sufficient with the force of the wind to carry any filth out of the harbour. There are two boat entrances besides the ship channel to the east of the harbour, and not far from the barracks another to the west towards the ferry; consequently, should the wind be either east or west (the latter prevailing most), everything is swept at ebb tide into the ocean.

The burial-ground is in the town, but no doubt will soon be abandoned for a better. There are three slaughter-houses in the town, near the harbour, which are kept clean by the water from thence; about six cattle slaughtered per week; some few pigs are kept in the town, but they will soon be expelled. The population is not very great; and nothing here has ever yet, in my opinion, engendered yellow fever.

18. The night-soil is thrown into privies; some cesspools lead into them, others into the harbour; some few persons neglect cleaning them until their attention is called to it, when the whole contents are buried in deep pits. On this point I must observe, that I never knew of an instance in this town where a privy was found so offensive as those at Fort George and Fort Victoria, probably from the great bulk of the latter.

19. We have had yellow fever here three times during the last 34 years, and I believe it was imported on each occasion. The natives have suffered very little at any time in comparison with its adventitious population.

20. Unanswered.

21. The corporation were diligent in looking through the town to prevent the accumulation of everything likely to aggravate the disease. The troops were removed to the Ferry Point, but unfortunately not until after many of the convicts

victs had fallen, and the military hospital crowded with over 100 patients. The men were placed under canvas at the Ferry on or about the 13th September last, and must have suffered during the high winds and heavy rains. The tents in use were a miserable substitute for barracks.

22. The convicts diet on good fresh and salt meat, bread, and vegetables, and have sufficient exercise to keep them in health.

23. Unanswered.

24. I think the "Thames" had been moored in St. George's harbour, under Barrack Hill, about seven years; cannot be positive; her position, directly under a hill, was not a good one in a sanitary point of view but not likely, in my opinion, to generate disease. This ship has since been removed, and is now moored in the centre of the harbour.

25. I should say not.

26. A damp atmosphere, hot temperature, and long-continued easterly winds, are most favourable to the spread of yellow fever in Bermuda.

27. Merely from recollection. In the year of 1819 it was very hot and sultry. In 1843 long easterly winds, with frequent rains. In 1853 much more so.

28. The temperature was not higher in 1853, but we had more rain than usual.

29. Stout, and apparently healthy persons.

30. The inhabitants are generally more exempt from yellow fever than Europeans; children, both white and coloured, excepted.

31. Answered at No. 1.

32. I do not think that yellow fever may be produced in Bermuda under such circumstances; but no doubt, when once introduced or imported, unfavourable states of the atmosphere would aggravate the disease. We have very little vegetable or animal substances so exposed.

33. I would subject all vessels with disease on board, or from an infected port, to quarantine for a short time at least; if steamers arrive under such circumstances, and want coal, let them have it under proper regulations, but prevent the immediate landing of the crew and passengers to mingle with the inhabitants, and smoke the labourers, pilot, and every article from the vessel.

34. On the appearance of fever among the people again, I would recommend that the military be removed without delay to the Ferry Point, the Naval Tanks, or other convenient place; but instead of canvas tents, I would construct a light comfortable covering of corrugated galvanized iron; low sheds from 15 to 20 feet in length might be constructed of this material in England, and sent out to be deposited at the Ordnance department here for use when required; after being so used, the whole may be returned to Ordnance Island, there to remain until again wanted, and in the end the expense would be less, I think, than that of canvas tents, which are always rotting, and of little use in exposed situations in a rainy season. *See* 38.

35. The separation of the force from St. George's to the Ferry did not result in checking the disease so soon as we had hoped, and the subsequent remove from there to Prospect Hill, after the men were comparatively in a healthy state, was more injurious, I learn, than otherwise. The men were not, I think, removed in time; and the tents were unfit for the occasion.

36. Because the islands are situated in a mild latitude, having nearly all through them pure fresh breezes from the ocean.

37. The mortality amongst the natives, compared with that amongst Europeans, I should say was about four per cent.

38. I would employ coloured men and women to attend the sick, and prevent by every possible means the healthy soldier from visiting the sick. I would see that the contractor for washing barrack sheets and bedding had an abundance of rain-water at command, or sufficient tanks, and that the whole should be cleansed at his establishment for washing beyond the limits of the town. The coloured women have been in the habit of receiving each a portion of these articles from the contractor, which they have washed in the town, but from their scanty means, and short supply of water, it was impossible for them to

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Answers of J. T. Fisher, Esq., J. P.

give satisfaction on all occasions, while at the same time such a distribution of articles from a diseased hospital, and sickly men, no doubt assisted the spread of the late epidemic through this town.

St. George's, Bermuda, 17 March 1854. (signed) *John T. Fisher*, J. P.

Sir, St. George's, 15 April 1854.

Your letter of the 12th reached me on the evening of the 13th instant, and on the morning of the 14th (yesterday) I sent a constable to St. David's Island, to notify Israel Burcher to attend the Commissioners at Hamilton, as you requested. Burcher has promised to attend accordingly, on Monday next.

I would beg leave to observe, that I still hold to the belief expressed in my answer to the 10th question of the printed regulations, forwarded to the Commissioners on the 18th ultimo; that I visited St. David's Island, in company with others, in November last, and after viewing all the statements noted at that time on the subject of the late epidemic, I came to the conclusion that we had sufficient ground for believing that the fever was either introduced into this parish by the steamer from St. Thomas or from the naval yard; and that I arrived at this without much consideration as to anything the pilot, Burcher, advanced; for he said very little to me, and I was under the impression that he had some scruples, fearing perhaps that as so much had been said about the "Merlin," and the fever, that he may be pulled up for an offence against the Quarantine Act, having conducted this vessel into port.

I would add, that I have lately understood, from Seth Harvey, Esq., barrister here, that he heard Burcher, the pilot, say that the lady who died on board of the steamer was as yellow as gold, and that he touched her.

You will oblige me by appending this letter to my answers on the printed questions.

I have, &c.

Lieutenant-colonel S. Oakeley, H. M. 56th Regiment. (signed) *John T. Fisher.*

No. 45.

Answers of *Joseph Stewart Hunter*, Esq., M.D., Health Officer and Surgeon, "Thames" Hulk.

Answers of J. S. Hunter, Esq., M. D.

1. Thirty-two years; 12 in the army, and 20 in the convict service.

2. I have had the opportunity of treating the yellow fever in Bermuda in the year 1819, 1843, and 1853.

3. On the 26th August.

4. On board the convict hulk "Thames;" the case was one of remittent fever, and terminated fatally, unattended with black vomit.

5. I was surgeon of the convict hulk "Thames," where all the officers and greater part of the prisoners were attacked with the epidemic.

6. So conflicting are the opinions of professional men on this subject, that I feel reluctant in hazarding an opinion; I must, however, state that I am in favour of importation.

7. This was ever my opinion.

8. I am of opinion the fever may be communicated, not by contact, but by inhalation, more particularly *in articulo mortis.*

9. Answered in No. 8.

10. I am of opinion that the fever was imported; and for particulars relating to this query, beg to refer the Commissioners of inquiry to the answers given by the Board of Health and Vestry of St. George's.

11. I am of opinion that specific miasma may, under special circumstances, produce yellow fever.

12 to 16. Unanswered.

17. The soil of St. George's is of two distinct qualities; one part composed of a stiff reddish clay, having a limestone bottom; the other and greater portion light and sandy, particularly porous, admitting immediate absorption of the heaviest fall of rain.

The town of St. George's is situated to the south and west of the barracks, the forts being some distance removed from either; the drainage principally into the harbour. The lanes and back-yards are frequently inspected by the Board of Health, for

for the purpose of having them kept clean. Provision has of late been made by the parish, which cannot fail of improving the sanitary condition of the town. The extent and influence of the tides are highly beneficial, having a fall of four or five feet, with outlets to eastward, south, and west. The situation of the burying-ground is decidedly bad, being placed in the middle of the town. There are two slaughter-houses in the town, near the water, and both kept particularly clean. There are a few pigstyes in St. George's, a nuisance about to be removed.

18. The night-soil is generally thrown into the harbour, or buried in pits in the yards or gardens in St. George's.

19 to 21. Unanswered.

22. The dietary of the convicts is good, consisting of a fair proportion of animal and vegetable food. The space allotted to each man on board the "Thames" is from 190 to 200 cubic feet. The sick convicts are treated in the convict hospital hulk.

23. The convict hulks, with the exception of the "Thames," appear to be judiciously placed. This ship, since October 1844, was placed on a bank in the eastern extremity of St. George's Harbour, 15 or 20 feet from the shore, at the bottom of a steep hill, where ventilation was most imperfect; and being surrounded by masses of vegetable and animal matter in a state of decomposition, might, in my opinion, generate disease.

25. Bermuda is not subject to endemic fever.

26. Calm weather, close heavy atmosphere, with but little rain; east or south-easterly winds.

27. I believe there was but little variation in the state of the atmosphere during the epidemics of 1819, 1843, and 1853. Heavy rains in the latter.

28. Answered in 27.

29. Persons of full habit, labouring under chronic visceral disease, and others subjects of intemperance, were most predisposed to its attacks.

30. The inhabitants of the colony, more particularly the coloured population, are more exempt from attacks of epidemic fever than Europeans or other strangers.

31. I do not think it can be communicated by direct contact with persons suffering from it, or with the bodies of those who have died of it; but I do think it may be conveyed by persons in health wearing articles of dress of the deceased, or by inhalation more particularly.

32. I am of opinion that it may.

33. Cleanliness, temperance, free ventilation, careful avoidance of crowded apartments, particularly among the lowly, and immediate change of locality, if practicable.

34. Answered in 33.

35. I am perfectly cognizant of the fact.

36. In consequence of its salubrious climate, its central position in the Atlantic, and the total use of tank water.

37. The mortality amongst the natives, compared with that of Europeans, is about four per cent.

38. I must decline answering this question.

(signed) *Joseph Stewart Hunter*, M. D.,
Health Officer, and Surgeon "Thames" Hulk.

Sir, St. George's, 29 March 1854.

I HAVE the honour to acknowledge the receipt of your letter of yesterday, having reference to the arrival in this port of the steamers "Blasco-de-Garay" and "Merlin," and in reply, very much regret to state, that being absent from town when the former, and confined to bed by indisposition when the latter vessel arrived, I am unable to put the Commissioners in possession of the information they require from personal knowledge of the facts.

Dr. Frederick Hunter, who acted on both occasions as my deputy, states that on boarding the "Blasco-de-Garay," he put the questions prescribed by the Quarantine Act to the captain and surgeon on oath, through the principal engineer, being the only person on board who could speak English; that they both stated there had not been any death or sickness on board during the voyage, with the exception of a few cases of venereal disease.

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Answers of J. S. Hunter, Esq., M. D.

Dr. Frederick Hunter visited the "Merlin" in June last, when he was informed by the captain that a death had taken place on board, and referred him to Staff-surgeon Austin for particulars of deceased's death. Dr. Austin assured Dr. F. Hunter that the lady had not died of yellow, but from the debilitating effects of intermittent fever.

On this occasion the answers were not received on oath. There were various reports in circulation at this period of clothes and bedding having been destroyed on board the steamer, but I could never trace it to any authentic source.

With many apologies for my great remissness in not having sooner replied to the original letter,

I have, &c.
(signed) *J. Stewart Hunter*, M.D.,
Health Officer.

Lieut.-colonel Oakeley,
Chairman Commission of Inquiry,
&c. &c. &c.

Letter of *Frederick A. S. Hunter*, Esq.

Sir, St. George's, 3 April 1854.

I have to acknowledge the receipt of your letter of yesterday, requesting information relative to the death of a lady on board the "Merlin" in June last. In reply, I beg to state that I inspected the body of the deceased, and from the statement of Staff-surgeon Austin, who was a passenger on board, and my own personal observation, am of opinion that she died from the debilitating effects of intermittent fever, arising most probably from a diseased state of the liver, as in most cases of chronic hepatic affections there was a yellow tinge of the skin. It was reported on shore that a quantity of clothes and bedding had been thrown overboard. I am not aware of these reports having been traced to any authentic source.

I have, &c.
(signed) *Frederick A. S. Hunter.*

Lieutenant-colonel Oakeley,
56th Regiment.

No. 46.

Answers of Dr. *A. J. Harvey.*

Answers of Dr. A. J. Harvey.

1. Occasionally doing duty for the troops quartered in and near the town of Hamilton, in the absence of the military surgeon. In all, about 15 months.

2. I have experienced three visitations of yellow fever during the 24 years I have been in practice in Bermuda.

3. On the 24th August I was called to the boy Thompson, furtively brought from the "Thames" hulk, St. George's, to his parents in Hamilton, labouring under fever.

4. On board the hulk "Thames," St. George's, where he was staying with a brother, an officer of that ship. It was doubtless a case of the epidemic, though it only showed symptoms of common continued fever, and terminated favourably in about five days, without black vomit.

5. My time was entirely engrossed by practice during the prevalence of the disease, being the oldest practitioner in the town or parish.

6. I believe it to have been imported; and it was the fever known as the bilious, remittent, yellow, or Balam fever.

7. The first few cases I saw having no malignant characters, I considered it only a common continued fever.

8. I do think it communicable. One striking instance was that of a woman going from a healthy and remote parish to see a dying son in St. George's, returned in a few days, died herself of fever, and several of her family suffered the same fate, though the latter did not leave their home. Other similar instances are known.

9. It appeared to require no peculiar circumstances to make it so, except in degree; this characteristic being more evident in towns and crowded or populous places.

10. Being health officer, I was called on, late in October 1837, to visit Her Majesty's ship "Seringapatam," from the West Indies, to recruit her crew, convalescing from yellow fever. Considering the advanced period of the season, cool weather setting in, I was induced to give her pratique. In a few days, a number of persons at Ireland Island, in the vicinity where the vessel was landing her stores, were attacked with malignant fever; and as the islands had been previously perfectly healthy, no doubt could be entertained that the "Seringapatam" introduced the disease. We had no more fever until 1843, in which year the West India steamer began to run from Havannah, touching in six days at Bermuda, having almost always cases of yellow fever on board. Again, we have

fever

fever in 1853, originating in St. George's, the port where the steamer "Merlin" runs in monthly, in four days, from St. Thomas's, the hotbed of fever for some time past. Now, as I know of no evidence bearing on its native origin, I am inclined to believe that this fever is a foreign importation.

11. I have no grounds for forming any opinion on Question 11.

12 to 15. Unanswered.

16. I have been resident at Hamilton about 24 years.

17. Unanswered.

18. In Hamilton, pits are dug at such depth that they are rarely or never cleaned out; no unpleasant odour or apparent inconvenience resulting therefrom.

19 and 20. Unanswered.

21. An universal lime-washing of the houses was insisted on, and the drains, &c. were cleaned out in Hamilton previous to the disease reaching there. Two men of a company of the 56th, under my medical charge, being attacked with fever, the company was immediately removed to Oxford, about two miles distant. No subsequent case, I believe, occurred in this company.

22 to 24. Unanswered.

25. None, to my knowledge.

26. Moisture, high temperature, and easterly winds appeared to further its progress.

27. None.

28. The amount of rain was unusually great, and continues to the present time, January 1854.

29. Plethoric habits, and persons who are not natives, or rather persons from northern latitudes.

30. The natives are immeasurably more exempt than foreigners. No difference in sexes or ages. Coloured people more exempt than white.

31. I have no means of deciding to which of these conditions it owes its power of being communicated from person to person.

32. No such instances have come under my own observation, but I should think it not improbable that during the hot season such causes may develop this disease.

33. Separation, cleanliness, and all other such well-known sanitary measures.

34. *See* Answer 33.

35. In 1843, dispersion was followed by an immediate subsidence of the disease. In 1853 this effect was not so marked, as far as my observation went.

36. I ascribe this circumstance to the non-existence of any inherent powers of production. The marshes are clearly innocuous; persons living in the midst of them enjoying such excellent health as to give rise to the impression that they are the most salubrious portions of the island, and that it requires a chain of favourable events, not of common occurrence, to admit of its importation.

37. At a rough estimate, I should think that not over three per cent. of deaths were natives.

38. Unanswered.

(signed) *A. J. Harvey*, M.D.

Sir, Hamilton, 11 February 1854.

In reply to your letter of 7th instant, relative to a dead body having been landed from the brig "Charles," of Newfoundland, and the captain of that vessel being allowed to come on shore, I have the honour to forward the following particulars. On 10th October 1853 I visited this vessel officially, and was informed by Captain Taylor that he was 15 days from Demerara; that his wife (a passenger) died the night before, and that he had come in with the view of having the body buried in consecrated ground. He stated that the deceased had been long in ill health;* that she had gone out to the West Indies, hoping for an improvement, but continued declining till her death.

I at once told him that it was impracticable to bring the body on shore, but offered him an island for its interment. He peremptorily declined this arrangement, and said he would prefer taking the body away with him in spirits. On my return from the vessel I ordered a spirit-tight coffin†, and sent it on board. A careful examination of the officers and crew showed

* Mr. William Perrot, jun., knew the parties in Demerara, and states that Mrs. Taylor was ill all the time there, and Mr. E. Harvey knew them previously to their leaving Newfoundland, and states she was then believed to be in consumption.

† Made by Mr. Jackson of this town.

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Answers of Dr. A. J. Harvey.

showed them to be in apparent good health; the dead body exhibited no indications of death being occasioned by malignant disease, and my only reason for refusing was to prevent popular excitement. The next day, to my surprise, I received an intimation that a vault in Paget churchyard, and every accommodation for the burial of his wife, had been offered the captain. This at once removing the only reasonable obstacle to his wishes, I felt it would be imprudent in me to withhold my consent, and accordingly the deceased was borne and followed to the grave by a number of parishioners.

The same circumstances, viz., the absence of any reasonable grounds of suspecting infectious disease on board, induced the executive, at my suggestion, to permit that captain to transact some necessary business with his agents on shore, it being clearly the duty of the health officer to make the Quarantine Law as little oppressive as possible to the distressed mariner, as to protect the community of which he is the guardian. Besides, the captain having suffered from yellow fever some years previously in the West Indies, we had high authority for granting this permission.

"Vessels under Quarantine: The Yellow Fever.—The Lords of Her Majesty's Privy Council have ordered, that when any vessel, at any port or place in the United Kingdom, shall be placed under quarantine on account of yellow fever, all passengers on board of such vessel who shall make a declaration that they have had an attack of that disease at some former period, and shall satisfy the officers of health visiting such vessel that the fever from which they have suffered was the yellow fever, shall thereupon be permitted to land, not withstanding that such vessel is placed under quarantine on account of that disease."—*Lancet.*

Now, in conclusion, I would wish particularly to call the attention of the Commissioners to the fact, that so far as yellow fever is concerned, no quarantine whatever was necessary; for by a reference to dates it will be found that this disease was at its zenith throughout these islands at this period, viz., 10th of October; and in fact, as already observed, restrictions were only imposed to allay popular alarm; an object, however, most wantonly frustrated by certain persons, to whom the principles of common humanity which prompted the above measures of relief are entirely unknown.

I have, &c.

To Major Oakeley, 56th Regiment, &c. &c. &c.

(signed) *A. J. Harvey*, M. D., Health Officer.

Sir, Hamilton, 3 March 1854.

In reply to the several inquiries respecting the brig "Charles," in your letter of the 27th February, I beg to state, firstly, that I personally inspected the body of the deceased wife of the captain; secondly, that I did not administer an oath to the captain; thirdly, that I have no memorandum of the date of the death of the second mate, who died of symptoms of yellow fever; but I think he was taken ill about a week after his arrival, and expired in about three days. Another was slightly indisposed, but exhibited no marked symptoms, and was under no medical treatment. Fourthly, from inquiries that I made on hearing the rumour of the "Charles" having lost one of her crew previously, I had reason to believe that such was the fact, although the captain denied that any one had been ill besides his wife.

I take this opportunity of reminding the Commissioners, that my first case of yellow fever in Hamilton occurred on the 27th August, in the son of Mr. Thomson (tailor), who was brought from the "Thames" hulk, in St. George's. From this time it spread in the practice of other medical men as well as my own; three fatal cases occurring in the company of the 56th previously to their removal from the town on the 29th September. I would also call their notice to a perfect nidus of yellow fever, inhabited by Portuguese next the Presbyterian Church (in the vicinity of Findletter's), from which José Oliviera Mentz was buried on the 3d October. The Prospect hospital, within 20 minutes walk of this town, was established on the 28th September.

Now, as the "Charles" did not arrive until the 10th October, was then anchored at the quarantine station, at least two miles away, and the only person admitted from her to Hamilton being a perfectly healthy one, the captain, it appears to me illogical (to say the least of it) to infer that she could have exercised any influence over the late epidemic here.

I have, &c.

To Major Oakeley, 56th Regiment, &c. &c. &c.

(signed) *A. J. Harvey*, M. D.

No. 47.

Answers of Dr. *T. W. Hunt.*

Answers of Dr. T. W. Hunt.

1. Unanswered.

2. During a practice of 20 years, the only epidemic fever I have seen was the fever of 1843, which prevailed in a mild form to a considerable extent in this part of the country.

3. The first case which came under my observation, and which I am sure was the

the first that occurred in the parish, I was called to on the 14th day of September 1853.

4. It occurred in a man of colour, who drove a pair of horses to St. George's on the night of the 9th September 1853, and returned to Somerset on the following day (Saturday). I was called to this man on Wednesday, the 14th, and found him labouring under nearly all the symptoms of the epidemic of 1843; he had been ill two days when I first saw him; the case was well defined; the pains in the head and back were intense, and he bitterly complained of the latter; he recovered after about five days' illness; but before he left his bed, his wife and all of his children, in number seven, were attacked with the same symptoms, but in a milder form than the father. That this individual contracted in St. George's the fever under which he and his family suffered cannot reasonably be doubted; his exposure nearly all night on the box of a carriage probably rendered him more susceptible of the infectious principle. The house in which he resides stands on the borders of the sea; the grounds about it are low and swampy on the east, and exposed to the drainage of high hills on the western side; the interior of the building was low, filthy, and confined, especially the bedroom, circumstances which occasioned me to predict the spreading of the disease through the family.

5. The late distemper was by no means serious or general in this part of the country; the number of cases did not exceed 20, and these, with two exceptions (fatal), were of a mild type. These two exceptions were both affected with black vomit; the one was a native, a boy seven years old; the other was a man, late a private in the 42d regiment; he had been about a fortnight in the parish, having previously been much about Hamilton.

6. With regard to the origin of the fever, I ascribe it to a local cause, in the absence of any good proof to the contrary. The disease seems to have commenced in a mild form, a circumstance which tended to mislead the medical officers. I had two cases of common continued fever under my care in August last, and there were, I believe, several other cases about the country. Such a fever in crowded, ill-ventilated apartments or localities, where, amid much heat and moisture, decomposition of animal and vegetable matter has been allowed to accumulate, may assume a very malignant character as its victims multiply. The air of a neighbourhood thus circumstanced may, from these superadded causes, beget a pestilence; the infection extending to nearly all who breathe it, but becoming less remarkable as the distance from the focus of infection increases. Hence, says one of our most eminent medical writers, "in large, crowded, or populous cities, particularly in seasons when the temperature is high, and the air humid, and is already contaminated by exhalations from animal exuviæ and burying-places, the infectious emanations from persons first attacked heighten the exciting aërial contamination, produce a more marked effect, and more readily spread the malady in these places than in those differently circumstanced." The above observations apply with awful force to our late condition. The town of St. George's, where I believe the late fever originated, furnishes all the sources for the development of pestilential disease, under such conditions of the atmosphere as prevailed during last autumn; the low site of the town; its close crowded habitations, with a churchyard in the midst; its neglected pigstyes and privies, and other nuisances common to all towns, in favourable conditions of the atmosphere, are admirably calculated to call the infectious germ into existence, or to give it wings if introduced from abroad.

The above remarks apply in some degree to the town of Hamilton and other localities throughout the colony.

7 to 10. Unanswered.

11. The preceding remarks will show that I am of opinion that yellow fever may be thus generated, but it is well known that not a few of our most eminent physicians and writers stoutly contend, that before this distemper can be brought into existence, the poisonous germ must be introduced.

12. Unanswered.

13. The man who is exposed to the night air in hot countries is, I apprehend, more liable to fevers of every kind than others who are less exposed. Soldiers on guard at night, exposed to the chills and dews incident to warm climates, may come under this head.

14. Unanswered.

Appendix.

Answers of Dr. T. W. Hunt.

I have already stated that the first case which occurred in this parish, was in a man who had gone to St. George's, and returned on the following day, was seized with the fever which was communicated to his family. I will now relate another striking instance in proof of its communicability.

A woman, A., who lives at the extreme point of Somerset Island, went to St. George's in October, (I am unable to give the exact date), to attend on her son, ill of the fever, he being at that time servant of an officer, who himself fell a victim to the disease. Her son recovered, and the woman returned to Somerset on Saturday; there was not at this time a single case of fever in the neighbourhood, nor as far as I know in the parish. On the Monday following she was seized with fever, and before she could resume her employment, three other persons of colour, a woman, B., and two children, who lived in the same house, but in different apartments, were also seized with the disease. In the neighbourhood of their house there are several habitations densely crowded with a coloured population; and about a furlong distant, reside a family of white persons. Three children of this family suffered from the disease; the first attacked died of the black vomit before he obtained medical assistance. The coloured persons, A. and B., were in the habit of visiting this house, and I have been able to trace with unerring certainty, that the woman B., who was acting in the capacity of laundress in this family, was there attacked, by her own confession to me, with the pains so peculiar to yellow fever, and to such a degree, that she was obliged to hurry home to bed. Now, although the time between the first symptoms of fever in this woman, and the attack of the first white child, was more than two and less than three weeks, yet there is nothing in the history of other well-known infectious diseases, to make us doubt the possibility, nay, probability, that these children took the infection from the coloured family, and that these latter had previously received it from the woman A., who had been at St. George's; and I think so for the following reasons: First, because the two houses just enumerated, and the one mentioned under section 4th, were the only houses in this end of the island that could be said to be infected. Secondly, they were situated on the extreme western shore, in the vicinity of other dwellings inhabited by a dense coloured population, and yet the latter all escaped. Thirdly, the complete immunity of the European residents, in number about 20, who were not in a single instance affected, and who, if any aërial contamination or epidemic influence had extended to this part of the country, would have been among the first victims. Now, although I believe that the yellow fever is generally of local origin, and very rarely (if ever) imported, I see nothing in its nature or history to prevent this contingency. If, as I have shown, that this disease can be transported through individuals from St. George's to Somerset, a distance of 20 miles, there can be no difficulty in believing it can be thus carried 50 miles; and if 50, why not 500 miles?

Let us suppose a vessel sails from an infected port, and during the voyage a fever breaks out among the crew; on her arrival, the captain, knowing he will be placed under quarantine, brings his invalids on deck, who remain there during the visit of the health officer, who of course thinks it unnecessary to examine the crew individually. After his departure, the man is quietly put in a boat and sent on shore; or if the patient is too weak to stand the deck, he may be secretly landed before the vessel gets into port. Let us further suppose this infected individual is taken to some obscure hovel, to elude discovery, in a pent-up overcrowded part of the town, where he finds an atmosphere already reeky with foul emanations, it is surely no stretch of fancy to say that this fresh importation would be as a match to the mine; and from this cause a foul and infectious distemper disseminated among a people who, but for this, may have wallowed harmless in their native filth. It is much the fashion of the present day to decry quarantine regulations, but, situated as our island is, in the middle of the Atlantic, and subject to visitations of vessels from all quarters of the globe, I am strongly impressed with the conviction that while we should spare no pains to prevent the recurrence of domestic pestilence, so, in these days of rapid communication, we should be earnestly solicitous to crush its invasion from a foreign source by a steady and rigid administration of the Quarantine Laws.

* So in copy.

25.* I consider the fever of 1853 to have been endemic, and not epidemic.

26. The long prevalence of east winds, a humid atmosphere from 75° to 80° succeeding the hot summer months, are most favourable, in my opinion, to the

the propagation of yellow fever, just such states of the atmosphere as prevailed to an unprecedented extent in the autumn of 1853.

27. I have no reliable means of comparing these conditions, having kept no record of the weather. I have often had occasion to remark that the hot dry summers are the healthiest.

28. I am unable to say anything of the temperature, but I am quite sure that more rain fell during the autumn of 1853 than had fallen during the same season for a great number of years, not, it will be observed, during, but after the hottest weather, that is to say after August and September.

29. Constitutions enfeebled. The poor and persons in humble life seem more predisposed to fevers generally; but this does not obtain in yellow fever among Europeans (except those long enured to the climate), who are stricken down without respect to persons.

30. Europeans in every tropical climate are undoubtedly more liable to yellow fever in a severe form than natives; but in this parish, where there are not fewer than 20 Europeans resident, not a single case of fever occurred among them; a circumstance that can only be explained by the hypothesis that the epidemic influence did not extend to this end of the island; for nearly all the persons affected with fever in this parish received it, as I have already shown, from two individuals who had been to St. George's, and who themselves were taken with the fever shortly afterwards, and communicated it to others in the same houses, such houses being in every way adapted for rendering the disease infectious.

31. I have no personal knowledge that yellow fever can be communicated by either of these modes; but the European, or persons predisposed, who may come in direct contact with the dying and the dead, or who smell or handle articles of dress or bedding used by either, would in my opinion encounter additional risk of taking the disease; and if we are to credit some authors, there can be no doubt of the fact.

32. I have already answered this question, under Section 10, in the affirmative.

33. The practice of letting tenements to an indiscriminate number of persons is fraught with evil. The crowded state of these among the coloured population in many places is lamentable, and the consequences must be reckoned among the predisposing, aiding, and determining causes of disease. In the towns especially, more ventilation is required, the first step to health. The houses are rarely or never whitewashed "inside," a duty which devolves upon the tenant, and not the proprietor; hence its neglect.

"The burying of the dead," says a distinguished medical writer, "within, under, and around chapels and churches, or in large burying grounds situated within, or close to cities or towns, is among the most serious evils of the present state of society, and of existing legislation." The above-mentioned nuisances call loudly for remedial measures, and must arrest the attention of corporate bodies and the legislature.

34. With respect to what measures should be recommended to prevent the spread of fever in case of its recurrence, I would refer the Board to the observations of Sir William Pym, and to the excellent suggestions of Sir David Barry, published in 1831. One remark of his I will make, which ought never to be forgotten: "The perfect inutility, nay, absolute mischievious tendency of cleansing drains and privies, after the pestilence has commenced, with a view of arresting its propagation."

36 and 37. Unanswered.

38. I would suggest, with much deference, that there be a local Board of Health, with ample powers to carry into effect whatever sanitary reform may be found necessary; that officers be appointed to act under the orders of the Board, whose duty it shall be to have the dwellings of the poor and humble cleansed and whitewashed once a month during the hot and rainy seasons; that lime and other disinfecting agents be supplied at the public expense; that the officers have power to cut doorways and windows, and to enlarge others where further ventilation is necessary for the future promotion of cleanliness. Tanks should be built in different parts of the town, and in country places, where "wells" are not found, for the use of the poor and destitute, who frequently, in warm seasons, during great droughts, suffer much personal inconvenience for the want of a due supply of water. Among persons thus circumstanced, it must be expected that all infectious diseases will prevail extensively; and such diseases will, under

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Answers of Dr. T. W. Hunt.

peculiar states of the atmosphere, spread to the abodes of all classes of the community.

I have already adverted to the over-crowded condition of many of our tenements, an evil I fear more easily pointed out than remedied. That a certain class of our population "has increased, and is increasing," and cannot be diminished is, I would almost say, a lamentable fact. Their aggregating propensities, and dogged pertinacity in sticking to the home of their childhood, and the common sources of disorder incident to their condition, together with the moral degradation they induce, favour the development and spread of disease, and will be found among the most formidable impediments to sanitary improvement.

(signed) *T. W. Hunt.*

No. 48.

Answers of Surgeon *Gray*.

Answers of Surgeon Gray.

1. I ENTERED the service as assistant surgeon in the Royal Navy in January 1813, served on the North American and West Indian station, until the latter part of the summer of 1818, when I was appointed to the Royal Naval Hospital, Ireland Island, Bermuda, in which situation I remained until 1834.

2. When I joined the hospital in 1818, the yellow fever was raging in it, at the dockyard, and throughout the islands generally; it affected both natives and Europeans with the same virulence: it continued to rage until near Christmas, and broke out anew, and quite as fatally, in 1819, as during the former year. I had the whole charge of the dockyard, as acting surgeon, in addition to my own duty as assistant at the hospital.

3. On the 27th August 1853, a case came under my knowledge and attendance at St. David's Island.

4. A boy in a house within 50 yards of the one in which my patient lived had died some days before, with all the worst symptoms of yellow fever, as reported to me, but I did not see him.

The mother of my patient visited the child in the neighbouring house, and witnessed his having the black vomit; her child, a boy of 13 years, complained in the morning of the 27th August of lassitude and weariness; about four o'clock in the afternoon headache, pains in the back, and violent fever came on; he had slight irritability of the stomach, and strong determination of blood to the head. The worst symptoms soon yielded to the remedies applied, and on the fourth day the fever left him, very weak, and his intellect quite clear.

5. My residence being in Somerset, which parish was most mercifully spared the visitation (except in a few instances), only one case has fallen under my observation here, viz., a coloured woman. Hers was a more violent attack than the one at St. David's. She had visited a relative who lived in a house infected with the prevailing epidemic, and two days after was attacked with the usual symptoms in an aggravated form; on the third day pain in the stomach and retching came on; had it not instantly been met by the remedies my long experience enabled me to use in this the most dangerous premonitory symptom, I feel confident it would have been black vomit in a short time. Her situation for days after was so critical as to require constant watching. She did well, and is now as strong and healthy as usual.

6. From all I can learn of its appearance in St. George's, I am inclined to think that the infection was imported, that the heavy rains and continual dampness of the air during the whole summer caused the rapid progress of the infection, the disease becoming more malignant as the mortality increased.

7. My opinion was from the first the same as I have now expressed.

8. Decidedly communicable. My whole experience during my long course of practice in this disease renders me certain on this point in general, and the two cases I had during the prevalence of the epidemic of 1853 were proofs positive.

9. Close rooms, impure smells, foul beds, linen, &c., and too close approximation to the sick.

10. I am of opinion that this fever was imported, because in all my long residence here I have never known yellow fever prevail, except when it could

easily

easily be proved to have been imported. How it has been so in the present instance I cannot say, except a very short visit to St. David's Island in the month of August, I have no personal knowledge of the circumstances under which it first became known to the public.

11 to 18. Unanswered.

19. In 1843 the yellow fever prevailed through the islands; it was very fatal to Europeans in St. George's, and slightly so to both natives and strangers in every parish. I had in that year a very extensive practice in Sandy's and Southampton. My patients were numerous, but the fever yielded easily to the remedies employed, so that I never lost a patient.

20 to 24. Unanswered.

25. In my opinion, no.

26. Heavy rains and dews, with hot suns, all of which have prevailed to an almost unprecedented extent during the last summer.

27. Unanswered.

28. Much more rain fell. I have no means of judging as to the temperature.

29. Persons of robust habits.

30. Natives are generally more exempt, males and females suffer equally, children not so much in general; but during the past visitation a greater number of them have died than in any other I have known. Coloured persons not so numerously or so violently affected as are white.

31. Yes, to all the questions.

32. No.

33. Stringent quarantine regulations with regard to all vessels arriving from infected ports or places, and the prevention of all communication with the shore from such vessels until sufficient time has elapsed to render such communication safe.

34. Unanswered.

35. It would appear that the removal of the several detachments of the forces contributed greatly to check the disease in garrisons, and that those who were sent to different localities, in which the fever had not appeared, escaped it; I am of opinion, therefore, that such separation was most beneficial.

36. First, because it is not natural to the climate; and, secondly, because I think there is something in this climate which resists the disease, except when (like the last summer) it is uncommonly wet and hot, and so prepared to take any infection which may be accidentally introduced.

37 and 38. Unanswered.

(signed) *Thos. Gray*, R. N.

No. 49.

Answers of *Park B. Tucker*, Esq., M.D., Warwick Parish.

1. With reference to this question, I am a private practioner, but have been twice employed in Her Majesty's service; first during the epidemic of 1843, one month, and during the late epidemic, 1853; in both instances at St. George's.

2. The only epidemic in which I have had any experience in Bermuda was that of 1843. It was not near as malignant as the late one, the term "bilious remittent fever" more properly applying to that epidemic, as it was of the same type as I have met with in the colony of Berbice, British Guiana, where I was in practice for the period of three years. That fever is endemic to that colony.

3. The first case that came under my observation was on the 14th September, in the person of Mrs. Cooper, of the parish of Southampton.

4. At St. George's, where this person had been to wait on her son, who died there of black vomit; the case ended fatally of black vomit. This case was treated by Dr. Reese, of Hamilton.

5. I was called on the 14th September to render my services at St. George's as assistant to Dr. Innes, of the 56th Regiment, his two assistants being ill of the fever, and I was employed 26 days; after which my practice was confined principally to natives, 19 in number, only one of which proved fatal, although one of

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the native patients had genuine black vomit, and the only case to recover that has ever come under my practice; it was Miss Cooper, aged 15, of Port Royal, daughter of the Mrs. Cooper referred to in No. 3.

6. I was in the first instance inclined to attribute its origin to local causes existing in St. George's, such as an over-crowded graveyard in the centre of the town; very confined streets, and several dilapidated buildings, receptacles of filth liable to engender putrescent vapours; as also cesspools, which I believe are very seldom cleansed; and the fact of the front street having of late been built up, shutting out the south winds of summer, which are considered healthy. But, notwithstanding what I have enumerated as causes for generating fever, there has been invariably these conflicting circumstances to contend with; viz. vessels arriving in the island with yellow fever on board, or passengers landing suffering from it previous to its showing itself; and, lastly, cases that have occurred in isolated and healthy districts have been quite as malignant as those I saw at St. George's.

7. The foregoing answer applies to this question in a general form.

8. I think it is communicable under peculiar circumstances; witness the case of Mrs. Cooper (Answer No. 2), in which every branch of the family (five in number) took the fever after the mother's return with the disease. Previous to this the parish was free of fever.

9. By inhaling the exhalations of persons suffering from fever, or by means of bedding or clothing tainted with the disease.

10. I am of opinion that yellow fever can be imported, from the fact of its having been introduced at Boa Vista, one of the Cape de Verd islands, by Her Majesty's ship "Eclair," in 1845. "Previous to her arrival the place was healthy, but after her departure great numbers of the inhabitants were attacked, and it proved very fatal."—*Bascome's History of Epidemic Pestilences*, p. 174.

11. I decidedly think so, *vide* Bascome's History, p. 247, where he states the poisonous effects of the exhalations from a graveyard in Minchinhampton, England, by the removal of a quantity of earth, and all who inhaled the vapour arising from it took a peculiar fever, which proved very fatal in this previously healthy locality.

12 to 17. Unanswered.

18. By means of cesspools. I have already spoken as to the cleansing out of the cesspools in Answer No. 6.

19 & 20. Unanswered.

21. With reference to this question, I beg leave to refer to Dr. Innes's letter, published in the "Royal Gazette" of the 6th September 1853, which were the first precautionary measures that I am aware of; and secondly, the distribution of the troops to various parts of the island.

22 to 24. Unanswered.

25. Not in my opinion.

26. Close atmospere and moist weather with easterly winds are most favourable to the spread of yellow fever in this climate.

27. I have no means of comparing the conditions contained in this question.

28. The temperature was nearly the same as the previous year, varying from 79 to 84; much more rain fell than is usual during the same season.

29. Robust constitutions and natives of northern climates, particularly Europeans.

30. Decidedly so. During the late epidemic, in my practice, there has been no difference between the native white adults male and female, but children of both sexes have suffered severely; coloured persons have been nearly exempt, as is generally the case in yellow fever.

31. I think so in both instances, which I have already asserted in No. 9.

32. I am of opinion that yellow fever may be produced from local causes now in existence; but remove them, and the island would be healthy. I do not think it indigineous to the climate.

33. Cleanliness and ventilation, and the strictest attention to quarantine regulations, together with the avoiding of concentrating large bodies of men, particularly Europeans. I am also of opinion that floating hospitals are not adapted to this climate.

34. The immediate dispersal of all large bodies of men.

35. The fever of 1843 disappeared in a very short time after the removal of the troops to the Ferry Point.

36. The

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36. The general salubrity of the air, together with its geographical position, both tend to that result.

37. As far as I have been able to ascertain from various sources, the proportion of mortality amongst the natives compared with Europeans, is about four per centum.

38. I have no further suggestions to offer, which appear to me material.

(signed) *Park B. Tucker*, M. D.

Warwick Parish, 16 January 1854.

No. 50.

Answers of Dr. *Henry J. Hinson.*

1. Unanswered.

Answers of Dr. H. J. Hinson.

2. I witnessed the epidemic of 1843. The spring and summer of that year was remarkable for the high temperature and the great quantity of rain that fell. The first case of fever that I saw was in the month of May; it occurred at my father's residence, in the person of one of my brothers, and was of the "bilious remittent" type. Several similar cases had occurred in the family previous to my arrival in Bermuda. Subsequently, in the course of the summer and autumn, I saw a number of cases, principally in Hamilton parish. Nearly all these cases occurred in the neighbourhood of marshy lands, or the small inlets of the sea, where vegetation is rank and rapid, and where the ground is flooded by the tides, such as Shelly Bay, Walsingham, or about the small ponds near the residence of A. S. Trott. It was not until the autumn that the cases I saw began to assume the form of yellow fever. In several instances I saw both forms of fever, in the same family, at the same time.

3. The first case that occurred in my practice was on the 12th August.

4. At the Salt Kettle, in the person of a stranger, who had been resident in Bermuda about six months. The principal part of his time previous to his having fever was spent at the school, situated on the glebe in Warwick parish. At other times he was in the habit of visiting families about the parish of Warwick, and occasionally the city of Hamilton. As far as he knows he never was exposed to contagion. The case was mild and terminated favourably. The subsequent yellowness of skin first awakened the suspicion in my mind that the case was one of yellow fever.

5. Unanswered.

6. That the fever was of local origin, and was only an aggravated form of the remittent fever common to Bermuda, aggravated by local and atmospheric causes.

7. I have entertained the same opinion ever since I witnessed the epidemic in 1843.

8. I do not. That yellow fever may occur without exposure to contagion I have had satisfactory proof in my own person, and that of my family. In October 1849, both myself and family suffered from attacks of yellow fever, without, to my certain knowledge, our being exposed to any contagion whatever, as I had not then seen any case of fever for several months, or indeed for the whole summer previously. I was attacked on the road, and on arriving home found Mrs. Hinson also labouring under fever. My daughter was attacked two days after. In her the fever exhibited the same insidious train of symptoms as I saw in some of the fatal cases last year. She had the vomiting of brown matter that usually ushers in black vomit, and her life was despaired of. Two other practitioners, Dr. Hinson, sen. and Dr. Smith, were of the same opinion. Subsequently I saw several other cases of yellow fever. Again, none of the cases I witnessed either in 1843 or 1853 could I trace to previous exposure: but I saw many cases, which as far as the patients knew themselves, occurred without their coming in contact with any one labouring under fever, or with the clothes or effects of any person. I subjoin two instances, as where two families were exposed to the so called contagion in 1853 without taking the disease. Mr. Thomson, tailor, in Hamilton, had two relations resident in St. George's. They came to Hamilton, when the epidemic was at its height in St. George's, and were attacked with fever. They were attended by himself and Mrs. Thomson, neither of whom

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suffered from fever afterwards. Mr. Falconer, schoolmaster, spent a day in St. George's; on returning to Hamilton was attacked with fever, and died at his residence at Mr. Thomas Smith's. He was attended by Mr. Smith's family. No cases occurred in that family subsequently.

9. In my opinion, under no circumstance whatever.

10. Unanswered.

11. I am of opinion that they can.

12. Unanswered.

13. The circumstance of his being a native of a cold climate, his frequently being exposed to the deleterious influence of the night air, and his intemperate habits.

14 to 16. Unanswered.

17. There are three descriptions of soils in the Bermudas. That in the valleys on a level with the sea is composed almost entirely of peat, or fine pure vegetable matter, in union with tannic acid, which, preventing its undergoing decomposition, renders it inert. Around the margins of these marshes, however, where the peat comes in contact with the calcareous soil washed down from the hills, it is in a state of rapid decomposition. These valleys are the most extensive in the islands; they range east and west, are covered with a dense mass of bushes, and are in some places influenced by the tides. The second description of soil, found in the more elevated valleys and hollows, consists principally of clay, in union with a large proportion of vegetable mould, some silex, and iron; nearly pure clay is also found around many of the margins of the bays and inlets of the sea, extending some distance under the water. This soil is of a red colour. The third description of soil is of different shades, varying from black to white, according to the amount of its vegetable impregnation. It is calcareous in its composition, consisting of the disintegrated material of which the underlying rock is composed, mixed with some vegetable mould, the remains of the decomposed cedar-roots and leaves, the mosses, &c., and forms a thin layer on the tops and sides of the hills. The underlying rock, forming as it were the skeleton of the group, is calcareous, consisting of finely-broken coral and shell-sand, agglutinated into thin laminæ. It is a part of the great geological strata forming the bed of the Atlantic, upheaved by some convulsion of nature, thus forming the numerous islands and rocks which compose the Bermudas.

18 to 24. Unanswered.

25. Yes. Bilious remittent.

26. I consider a high temperature and rainy season as absolutely essential to the conversion of the usual endemical fever of Bermuda into yellow fever, and its spreading as an epidemic. When a high temperature with much rain, continuing for a great length of time, and especially when accompanied with winds varying from the north-east to the south-east, prevail; in fact, when our climate approximates to that of the West Indies, then the usual endemic, becoming aggravated, attacks a greater number of individuals, appearing under a continuous, a severe or mild remitting form, according as it operates on the robust excitable constitution of the Northerner, or the more acclimated resident or native. This was the case in 1843, and also in 1853.

27. The above conditions were present in 1843 and 1853.

28. The temperature was much higher. At my residence, where the usual range of the thermometer in ordinary seasons is about 86, during the summer and autumn it ranged as high as 91. The fall of rain also was very much greater.

29. The natives of northern climates, especially the young and robust.

30. They are. Generally in epidemic seasons, when Northerners suffer from the severe form and continuous type of yellow fever, the native whites, with a few exceptions, have the bilious remittent form of fever, while the blacks suffer from such slight attacks of fever as scarcely to require any treatment. In my practice the mortality during the late epidemic was confined, amongst natives, entirely to children. This I attribute to their having previously suffered from a severe form of hooping-cough. I am unable to say whether women enjoy a greater immunity than men from fever.

31. I do not think it can be communicated either by contact with the dead or the living body, or by articles of bedding or dress.

32. I am decidedly of opinion that the disease is the effect of emanations from decayed animal and vegetable substances, but more especially from the latter.

The

The great quantities of decaying and putrid substances accumulated in the small bays or inlets of the sea, with which Bermuda abounds, in the mangrove thickets, and around the margin of the marshes, more particularly where the soil consists of red clay, and is flooded by the sea, are ample sources for the production of those poisonous miasms which, in particular states of temperature and moisture, tend to produce yellow fever in warm climates, without our being obliged to look abroad for its origin in contagion. The sallow haggard look, the rapid decay of the teeth, and the hebetude both of mind and body so common to inhabitants of these proverbially healthy islands, are the effects of continual exposure to malarious emanations. If our marshes, instead of being composed of inert peaty matter, were in a state of active decomposition, Bermuda would be uninhabitable.

33. I know of no means that would have the effect of altogether preventing the recurrence of yellow fever. If our marshes were drained, raised, and cultivated, and the numerous deposits of putrid animal and vegetable substances were used up as manure, such measures would go far towards modifying the disease; but notwithstanding such sanitary means, as the disease is dependent in some degree on causes beyond the control of men, Bermuda will always, as hitherto, be subject to periodical epidemic visitations, under particular states of the atmosphere, and at these times the weight of the mortality will fall on the unacclimated stranger. Such has been the experience of the past. Yellow fever epidemics can be traced as far back as 1740.

34. When epidemics occur, the best measures would be removal from the district in which they first appear to such places as we know from past experience are most healthy; and such places we should expect to find in the most elevated parts of the island, at the greatest distance from the marshy land, and where the soil is dry and sandy. The hills around the signal post at Port Royal would form one of the most eligible situations for an encampment in case of an epidemic, as the residents along that range of hills are said to enjoy an almost total exemption from febrile attacks. When they are suffering, in lower situations, avoidance of exposure to the night air, shanties, or temporary wooden buildings, would afford greater protection than tents against the deleterious effects of the night air. The latter, from their not keeping out the rain, would be apt to generate dysentery. Temperance, if possible, and the daily use of moderate doses of quinine, might be beneficial.

35. Separation, both in a moral and physical point of view, would be of service in arresting the spread. No doubt many cases could be cited of persons taking the disease owing to the depression under which they laboured at seeing so many of their comrades carried off, placing them in a more fit condition for yielding to the malarious influence, who would otherwise have escaped; and although crowding and filth cannot generate contagion, they certainly will have the effect of producing the means of generating malaria.

36. I cannot assign any reason for its spreading so seldom as an epidemic here. Since 1843 I have been in the habit of seeing sporadic cases during the summer and autumn, and at these times the temperature has been more elevated, and a greater quantity of rain has fallen than is usual to these seasons, though not to the extent that it did last year. Bilious remittent is a form of fever endemical to Bermuda. Indeed, it is the only form of idiopathic fever I have ever seen here, in the course of 10 years' practice. I regard yellow fever as only an aggravated form of that fever, they being but types of the same disease. It is easy to conceive, that under particular states of the atmosphere, the usual type may become aggravated, and converted into yellow fever. Why that condition should obtain so seldom, or ever at all, is more than I can say. This I do know, that after an unusual elevation of temperature, and fall of rain, fever becomes more general than in ordinary seasons; early in the season assuming the form of mild remittent, which as the season advances assumes the form of severe remittent among natives, with some exceptions, and yellow fever among strangers, again assuming the mild remittent form as the season advances and the weather becomes cool. In October 1849, as before mentioned, a number of cases of fever, either aggravated, remittent, or yellow fever, occurred among the natives; and it is singular, that although it spread among them to such an extent as to be entitled to be called an epidemic, it did not extend its attack to strangers. It would be interesting and important to the present inquiry to

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ascertain the sanitary condition of the 42d Regiment, then stationed in the islands.

37. In my practice the proportion of mortality was one native to four strangers.

38. In addition to the recommendation in answer to Question 34, I think that in future more barracks should be erected in Bermuda. They should be built on elevated situations, and especially where the soil is dry and sandy; all the clay soil both under and for a considerable distance around them, being removed. The system of covering clay soil with broken rock and sand, as is frequently practised here in levelling, forming a wet retentive subsoil, loaded with vegetable matter in a state of active decomposition, is more productive of foul emanations than we are aware of, which in a hot and wet season must be fertile sources of fever, to those who are living over and near them. They should also have basements well open to ventilation, the floors being elevated at least six feet above the ground.

(signed) *Henry J. Hinson*, M. D.

No. 51.

Answers of Dr. *T. L. Godet.*

Answers of Dr. T. L. Godet.

1. I have never been in her Majesty's service, but I have been in Europe, viz. in England, Scotland, France, Italy, Switzerland, Germany, and Holland; also in North America and the West Indies.

2. My former experience has been rather extensive.

3. The first case of the late fever came under my personal observation on the 16th October.

4. That case originated in a house in Reid-street, opposite to the barracks at Hamilton, in the person of a discharged soldier of the 42d Regiment. That individual had been labouring under fever four days before I was called in to see him; I was informed that the patient had been drinking very freely of brandy previous to his illness. This was a well-defined case of black vomit, and it ended fatally.

5. The nature of my practice was chiefly among the native white and colored persons, and the extent was chiefly confined to the town of Hamilton during the late fever, 1853.

6. My present opinion is, that it was generated by a combination of endemic causes, some of these causes were noxious gases from the earth. The nature of that malady was of a very malignant kind of fever.

7. My opinion is the same as that which I entertained before the breaking out of this fever in a general form.

8. I do not think that is more than occasionally communicable, I have known many instances where the attendants on the sick have caught the fever, and on the other hand where they have escaped the disease.

9. In my opinion it may become communicable to individuals under circumstances of great mental depression and anxiety of mind, accompanied with emanations from the bodies of the sick.

10. My opinion is, that it was not imported.

11. Yes, that is my opinion.

12. As I have never had the medical charge of the troops, I cannot satisfactorily answer that question.

13. I think not.

14. I cannot give a satisfactory answer to these particulars.

15. I am not sufficiently informed on the subject.

16. I have been residing only in the town of Hamilton these seven years past, in the capacity of a practitioner of physic. The whole period of the year 1853 I was at Hamilton.

17. I am not at present sufficiently informed on these particulars.

18. The night soil in the towns of St. George's and Hamilton is thrown into the cesspools, the cesspools are usually detached from the houses, and are never cleaned out, speaking generally.

19. I do not know.

20. That

Answers of Dr. T. L. Godet.

20. That is a question I cannot answer.

21. I do not know.

22. I am not acquainted with the management of the convict establishment.

23. I am not sufficiently informed on these particulars.

24. I have not very recently visited St. George's, and I cannot give a satisfactory answer to that question.

25. Yes, but rarely the typhus fever.

26. Moist atmosphere, high temperature, southerly and easterly winds are most favourable to the spread of yellow fever at Bermuda.

27. No, I have not.

28. Yes, the temperature was higher in 1853, and there fell less rain during the hot weather than is usually the case during the same season.

29. Robust constitutions occasionally become its subjects, and ultimately its victims; but in a large proportion of cases, the ravages of fever are exerted in those in whom debility has been brought on by accidental causes, such as an impoverished diet, long-continued bodily fatigue, close confinement, irregular habits, late hours, &c. &c.

30. Yes, the inhabitants of the colony are generally more exempt from yellow fever than Europeans. The white and coloured children, both male and female, are more predisposed to yellow fever than adults.

31. No, not by direct contact with the person suffering from it, or with the dead body of one who died of it; but it may occasionally be communicated by direct contact with articles of dress, or bedding used by either.

32. Yes, I do think that yellow fever may be produced in unfavourble states of the atmosphere at Bermuda by emanations, both from decayed vegetable and animal substances.

33. The best means of prevention have been found in not sleeping or remaining all night in unhealthy situations, also in avoiding unwholesome diet, long watching, fatigue, or severe evacuations, &c. &c. &c.

I would suggest that ventilation and whitewashing should be strictly attended to.

34. Removal to a healthy district, and a free use of disinfecting agents.

35. The mortality was considerably less.

36. Because of the naturally healthy climate of Bermuda, the mean temperature of which is between that of the West Indies and British North America, partaking neither of the extreme heat of the one, nor the excessive cold of the other.

37. I do not know.

38. I would further suggest that in all dwelling-houses recourse should be had to the free use of chemical substances, which have the power of decomposing contagious effluvia. Of these the principal are acid vapours, particularly those of the nitric and ascetic acids and chlorine. Strict attention should be observed towards adhering to the antiphlogistic regimen, especially by Europeans during the prevalence of yellow fever in Bermuda.

No. 52.

ANSWERS of Dr. *W. B. Peniston.*

Answers of Dr. W. B. Peniston.

1. UNANSWERED.

2. The late fever is the first epidemic I have witnessed since I have been in practice.

3. September 16, 1853.

4. It originated on the north side of Pembroke parish, in a house near the water. The case was a coloured woman; she was taken suddenly with severe pains in head, back, and neck, and had been vomiting before I reached her, and also had partial retention of urine; she recovered.

5. I have had 34 cases, five of which were Northerners, the remainder were natives, viz.: 4 white men, 4 white women, 2 white children, 5 black men, 9 black women, 10 black children. They all recovered, with the exception of three, who are still under treatment.

6 to 38. Unanswered.

(Unsigned)

Appendix.

No. 53.

Letter from Rev. Dr. Murray to Colonel Oakeley.

LETTER from Rev. Dr. *Murray* to Colonel *Oakeley*.

My dear Colonel, St. David's Island, 13 April 1854.

IN replying to your note, requesting such information as I am able to furnish relative to the illness of the boy Benjamin Samuel Fox, and the parcel of clothing belonging to John Fox, his brother, I think it may contribute to perspicuity if I take the latter subject first.

1. John Fox left St. George's Harbour in the capacity of seaman on board the American brig "Kolian," Captain Jordan, on the 20th November 1852, being then about 19 years of age. About the 28th April 1853 a letter was received in Bermuda, from one Alcanzor Fox, stating that the writer had met Captain Jordan in New York, and had learned from him, upon inquiry, that John Fox had died at sea, on board the "Kolian," on a voyage between the port of St. Juan and New Orleans, two days after leaving the former place, of "Chagres fever," and that his effects were to be forwarded to Bermuda, to his friends, by either the "Swan" or the "Princess Royal." This seems to be all that has ever been heard of the death of John Fox.

The brig "Princess Royal" arrived in St. George's on Thursday, the 5th May 1853. By this vessel were forwarded a bag, containing a pea-coat and two suits of every-day clothing that have been used and soiled, and a box or trunk containing other wearing apparel belonging to the John Fox whose death is thus reported.

On Friday, the 6th May, two boys, George Jennings (coloured) and Joseph Fox (the brother of John) went on board the "Princess Royal," to receive these effects for the parents. It is said that the bag was opened by them, and the contents turned out and over in the hold of the "Princess Royal." George Jennings has not been in any degree sick since; Joseph Fox has been indisposed, and may have had a slight attack of the epidemic, but it was after the fever had spread very generally. No sickness bearing analogy to the yellow fever appeared on board the "Princess Royal," in which, in her next voyage, Colonel Eden and his family proceeded to New York.

When brought on shore, both bag and box were conveyed to an uninhabited house near the seashore, where they were placed in an empty and well-ventilated upper room. After the lapse of ten days they were brought to an open place on the margin of the sea, where they were opened and the contents carefully fumigated. These articles of apparel were removed to a tank at a distance from any inhabited house, and washed; they remained for two days spread out to dry in the open air, they were then replaced in the trunk, which was nailed up, and continued unopened till the month of October. Neither the woman who washed these clothes, nor her husband, nor either of her two children (boys, of the age of 4½ and 2½ years respectively) has had any attack of sickness, or of other illness.

The boy, Benjamin Samuel Fox, who died on the 2d August, resided at a considerable distance from the localities where these transactions took place, and never was in contact with, nor in sight of, any of the effects of his departed brother.

2. The boy, Benjamin Samuel Fox, died, as I have said, on the 2d of August, at the age of nine years, and was ill only from the Friday preceding. He was attended by Dr. Frederick Hunter, who having never witnessed a case of yellow fever (though he has resided several years and practised as a physician in St. George's), did not recognise the character of his disease, but attributed the symptoms to other supposed causes. Others, however, who saw the child, and who were acquainted through their previous experience with the disease (among whom I may mention was my own wife), had no doubt whatever that his was a well-defined case of black vomit.

3. I attribute the attack of the epidemic on this child to his frequent intercourse with another boy, Millet, of about 14 years of age, who suffered severely from it a short time before, but eventually recovered. Millet's was the first case of a white patient on this island; Fox's was the first death.

I was

I was inclined to believe, from what I heard, at first, that Millet may have received the infection through a Mr. Anthony Hayward, in St. George's, but I have recently ascertained that such was probably not the fact. There is, however, no doubt that a fever of the epidemic type prevailed in the family of Joseph Birchall on this island antecedently to Millet's being taken. This Joseph Birchall lives about three-eighths of a mile to the eastward of Millet's home; and Millet's mother resides a few hundred yards to the eastward of Birchall's. In passing between his usual residence and his mother's house, the boy must go within a very few yards of Birchall's door, where four patients passed through the fever and recovered. The four referred to were all partially coloured.

4. In reply to your note of the 11th, I beg to say that I cannot ascertain that any child died at St. David's on or even near the 27th August. There were no interments took place here previously to the 22d September. I have searched the register of burials in St. George's, as well as made diligent inquiries throughout the island, and there is nothing approximates the date you specify more nearly than these two:

Samuel Brangman, aged 37, died on the 18th September of fever, but it was then very general.

Martha Minors, an infant in arms, died on the 13th and was buried on the 14th July, it is believed, of fever, but I did not see her. Between her parents' house and that of Israel Birchall, the pilot (who conducted the "Merlin" on the 26th June to Ireland Island, and in whose family the epidemic first showed itself here), there was very frequent intercourse.

I will not detain this to add anything farther, but shall be happy to aid your inquiries by obtaining any farther information you may desire.

I am, &c.

Lieutenant-colonel Oakeley, (signed) *J. G. Murray.*
Commanding 56th Regt., Hamilton.

No. 54.

Oral Examination of *Isaac Beck Cooper*, Constable of Southampton Parish, taken the 7th day of February 1854, before the Commissioners.

Is a native of Bermuda; aged 52 years; all his family (except his wife, who was born in another parish in Bermuda) were natives of that parish. Before the fever broke out last year my family was 10 in number: myself, wife, and eight children; the oldest child was 17½ years; that was my son (Charles Frederick Cooper), who died of the fever in St. George's; he had been living in St. George's about 18 months: used to come home once in two or three months for a day or two. He lived at Mr. Thomas Richardson's, near the Main Guard in St. George's, about 15 months; came home to me for about a fortnight; then got a place with Mr. M'Callan, and lived with him, keeping his store near the Market-square, not quite three months; he never came up to the country while living with Mr. M'Callan. He died in St. George's, on the 9th of September, of the prevailing fever. He had been ill about nine days before he died. About four days before he died we received a telegraphic message that he had had the fever, but was getting better. I went to St. George's that very day; arrived there about 8 p.m.; found my son in bed, at Mr. M'Callan's house, near the wharf. When I saw him I knew he had the yellow fever; his eyes were yellow. Dr. Hunter, junior, who was attending him, told me he was better; but I thought him very weak. He was a healthy lad; had never been abroad from Bermuda. At that time there was no other person in Mr. M'Callan's house with the fever, that I heard of. He told me he hoped to be better soon. I returned home next day; the day after that, came a second telegraphic message, that my son was very ill, and was expected to die. Then (that day) I and Mrs. Cooper went to St. George's; reached there about 10 or 11 a.m.; Mrs. Cooper was about 38 years old; she was a native of Bermuda (her maiden name was Newbold). We both stopped with my son until he died, which was two days afterwards. I found him much worse than I left him. He had his senses. At times he would talk foolish. He had pain at times. I thought it was from stoppage of water; because when he seemed to be relieved, I looked under the bedclothes, and found he had passed water; that part of the bedclothes quite yellow; his linen about the arms and

Appendix.

Oral Examination of I. B. Cooper.

breast not yellow. Mrs. Cooper was in the room with him nearly all the time, but went in and out to her chamber occasionally. None of my family had had yellow fever before. They tell me I did have it when I was a boy, but I have no recollection of it. It was the yellow fever; my mother told me so. My son had every attention. Mr. M'Callan was very kind to him. M'Callan is a married man. My son could not have been treated better. My son had the black vomit profusely towards the last; about seven or eight hours before he died. My son was buried in the churchyard at St. George's. He gradually sunk after the black vomit; a little bleeding from the mouth, but very little. He died between two and three p.m. He was buried that day in St. George's churchyard. We came home next day. None of his clothes or bedding were brought from St. George's. I and my wife carried no change of clothing to St. George's. We went off in such confusion, that we carried nothing with us. I was in the room with my son during the night; almost constantly in and out. The room he was in was up-stairs, facing the harbour. The doctors ordered the windows to be kept open, and there was a strong breeze blowing right through. My son died on Friday, the 9th September. We came up the next day, Saturday 10th, in Mr. Hayward's large boat, wind ahead; came out by the forts, and beat round; we went down in a carriage, driven by Will Bassett. Mrs. Cooper was taken, I think, the fourth day after we returned. I don't think she was away from our house at all before she was taken. She was taken in the night, about midnight. I put my hand on her face. I thought she had fever. I got up directly. Dr. Parke Tucker attended her once only, but had to go to St. George's. He did not say positively what was the matter with her. Our youngest child was not then weaned; still nursing; about a year old. I sent for Dr. Rees. He attended her, I think, the second day. Her youngest child never nursed after my wife came up from St. George's. That young child did not take the fever. My oldest daughter would not let her nurse the child. That child was a girl. Stayed in same room with her mother. Slept in a cradle near the bed; continued there after the mother had the fever, but did not take it. My wife died on the 17th September, in the morning. She never threw up any black vomit; but a few minutes after she died I could see the black vomit in her mouth. Her eyes were not yellow; not like my son. Soon after she was taken she grew very weak; she was of a very weak frame. She had her senses all the time. Did not appear to suffer so much as my son; strong fever. We had no coloured servants. None of the neighbours came to our assistance; they were afraid to come. Our eldest daughter Marianna (aged 16), and myself, attended her constantly all through her illness. My wife's younger sister, Mrs. Ruth Young, came to see her once about two days before she died. Her eldest sister, Mrs. Burns, living near us, came a day or two after my wife was taken, and stopped there till she died. Mrs. Young had a family herself, and was afraid to stop; only stopped about 10 minutes. I have no doubt my wife had the fever, but I do have my doubts whether Mrs. Burns had the fever. About a week after Mrs. Burns left, she was taken sick; but I have my doubts whether it was the fever. I saw her while she was sick; she was an elderly woman, about 60 years old; her rest was broken attending on my wife; and after keeping her bed a fortnight or three weeks she recovered; she seemed alarmed; she broke out over the skin with sores. Mrs. Young lived with her daughter, who was married to Mr. Moore, who had some appointment, and lived at one of the buildings attached to the naval hospital at Ireland Island. Mrs. Young died. Mr. Moore died, and one of Mrs. Young's younger children died. I don't think Mrs. Young took her illness at my house, but at Ireland Island. She was taken ill after Mr. Moore died. I think she took the fever at Ireland.

About three weeks after Mrs. Cooper died, when I thought the house clear of fever, my son Isaac, about eight years old, was taken with the fever. After my wife died, I took every precaution; had the house cleansed and whitewashed; put spirits of turpentine in the whitewash. Isaac had a very strong fever; I got up in the night; put him in a warm bath; he sweated so profusely that the perspiration went through the bed. He got well, but was very weak for several weeks. He had been in his mother's room while she was ill; hard matter (where a parcel of children) to keep them out. His sister Elizabeth was attending on him, and had been attending on his mother; she was taken very soon after her brother; they were both down together, in different chambers: hers was decided fever; black vomit in her mouth; did not throw it up. She was attacked

attacked about 4th October, and died 12th October. Her case much like her mother's. She was a very strong healthy girl; she was the strongest-made of the family. Dr. Rees attended her.

Another of my sons, Thomas, aged six years, had a fever; but I do not think it was the yellow fever. He took some medicine from the doctor, but soon recovered.

The last of the family who had it was my eldest daughter, Marianna. I thought we were clear of it; it was upwards of three weeks after my second daughter's death before she was taken. Hers was a decided case of fever; black vomit; she kept up her spirits so well; did not lose her strength; spoke to the doctor. Dr. Parke Tucker attended her; she always looked in the basin; and when she first saw the black vomit, she said to me, "Father, you need not do any more for me." Black vomit, black as your coat, both ways; it passed through her. After she saw the black vomit, she thought she could never recover, but was very composed; told an old woman then where to look for her burying clothes. She took quinine in pills, and she recovered; she could not keep it in liquid. She threw up black vomit, I suppose, a dozen times; also threw up fresh blood out of her mouth. I felt very uneasy about the blood; told the doctor; he said he did not mind that. I do not think Dr. Tucker ever gave her any calomel at all. When she fell sick, I gave her lime-water and salt, to check it; the black stuff passed through her then, and she began to mend. She was nearly 16. She is quite recovered; does not look very healthy in face; looks pale. All of my family had the fever except one boy at sea, and the two youngest children, aged about four years and one year. I lost two children and my wife. There was no communication of any person in the neighbourhood with my house, none at all; no clothes and bedding.

Before Mrs. Cooper had the fever, I heard of no fever at all anywhere in the neighbourhood. The first case I heard of in that parish afterwards was a coloured boy, the grandson of old Anthony Darrell; that boy died; but some say he had got a fall or hurt. I was told he came up from St. George's, sick. I believe Dr. Parke Tucker attended him. This boy never had any communication with my house, and lived three-quarters of a mile from us. He died some weeks after my eldest daughter had it; I think he must have been sick for a fortnight; I heard them frequently ask how he was; and at last they said he was dead. Mr. William P. Darrell lost a daughter in Christmas week. After Mrs. Cooper took the fever, our children were not sent from home, none of them, until after my eldest daughter was taken; then the baby was sent to Mrs. M'Kinney's, as there was nobody at my house to manage it; but the baby never had the fever, nor did any anybody have it about Mrs. M'Kinney's.

When Mrs. Cooper came home from St. George's, my family consisted of myself and wife, and six children, about the house. House contained seven rooms; three bedrooms. I do not think any one else took it from our house, except Mrs. Burns, if she did have it.

My family before this was always very hearty; never lost a child; had eight; brought them all up; seldom called in a doctor.

No. 55.

Oral Examination of *Edward Hilditch*, Inspector of the Royal Naval Hospital at Ireland Island, taken the 1st day of April 1854, before the Commissioners.

Remembers the arrival of the French frigate "Armide," at Bermuda, from Martinique and Guadaloupe, on the 24th August 1852, with malignant yellow fever. She anchored at Murray's anchorage, and all persons on board labouring under fever, 42 in number, were removed to the temporary hospital on Port's Island, about the 27th of August, and the ship left Bermuda on the 1st or 2d of September; 42 beds with bedding were issued from the Naval Hospital for the sick at Port's Island from the "Armide," and were used by them as long as they remained there; 11 died, and were buried at Port's Island; the rest re-embarked in the "Armide" on the 31st of August; they were removed from the "Armide" to Port's Island in the "Olive Branch," towed by the dock-yard steamer, and the survivors were taken to the "Armide" in the same mode

Appendix.

Oral Examination of E. Hilditch.

(Dr. William Tucker joined the "Armide" at St. George's; he had nothing to do with the sick from her until they went on board). After the people from the "Armide" had left Port's Island, all the beds used by them were kept out of doors there for 14 days, freely exposed to the air on the grass, and were completely saturated by the rain. The bedclothes and beds were then removed to the wash-house on Port's Island, and washed by three coloured people living on Port's Island; none of whom took the fever; the beds and bedding were afterwards removed from Port's Island to the Naval Hospital at Ireland Island (under the immediate superintendence of my steward, Mr. Moore, who did not take any fever there, but was very susceptible of it (as was proved by his taking the fever and dying of it at an early period of the epidemic of 1853). On removal of the beds to Ireland Island, the hair was taken out of the beds, passed through a solution of chloride of zinc, then boiled in the coppers, dried and repicked, and remade into beds, which since then have remained at the hospital and been in daily use in turn; but no case of fever originated in the hospital, until after the epidemic was brought into the hospital by fever patients from elsewhere.

The articles of clothing used by the sick from the "Armide" were returned into store after being washed; but none of the stores lent to the sick of the "Armide" have since been re-issued for the Naval Hospital.

I am decidedly of opinion that the epidemic which prevailed here in 1853 can in no manner be ascribed to the arrival of the "Armide," or be supposed to have originated in any way connected with the "Armide," nor could it have been produced by any fomites derived from the "Armide."

No. 56.

Oral Examination of Assistant-Surgeon *William Deeble*, 56th Regiment; taken the 3d April 1854, before the Commissioners.

Oral Examination of Assist.-Surgeon William Deeble

I was quartered at St. George's in June last, when the "Merlin" (steamer) arrived there from St. Thomas. I was sitting with Dr. M'Kenzie, who was ill at the time, at Mrs. Edwards' boarding-house, in St. George's, when two gentlemen came in who were passengers by the steamer, and commenced conversation. The bell commenced tolling, and they said they should be off to the funeral. I inquired who it was, and was told it was the wife of some American sea captain, who had died on board the steamer, who was going to New York for the benefit of her health: had been confined in childbed about three weeks before, and had not recovered when she was put on board. Something was said about the child coming ashore in clothes too large for it. I think the child was brought to Mrs. Edwards', and remained here for some time, and was sent on to America in some other vessel. The funeral took place about three or four o'clock. I have no reason whatever to ascribe the outbreak of the fever in Bermuda in 1853 to the landing of that body, or in any way to the visit of the "Merlin," or her passengers. At that time there was no case of yellow fever existing in Bermuda to my knowledge. The first case which came under my knowledge was that of Mrs. Davis, the wife of Private Davis, 56th Regiment, mentioned in my answer to the printed question, No. 4, which occurred on the 15th of August 1853. I had seen her the day before sitting at her door at Paget Island, apparently well; she had been confined in childbirth about a month before, and seemed to have recovered. On Monday, the 15th, I was called to attend her, and continued to attend her till her death. The case terminated fatally, at one o'clock on the Saturday morning, with yellow fever, although not attended with black vomit, which is not an invariable symptom of the disease. I have heard a rumour that some bundle of clothing which had been used by the lady passenger in the "Merlin," who died, as above referred to, had been picked up by Mrs. Davis, and washed or used by her; but nothing which has come to my knowledge leads me to believe that there was any foundation for that report, or that Mrs. Davis's illness can be connected with the arrival of the steamer, "Merlin." I think her disease arose from the unfavourable locality in which she was living.

The day week after she died, her husband, her eldest son (about eight years old), and a private of the 56th Regiment, residing in the same house, were attacked

Oral Examination of Assist.-Surgeon William Deeble.

attacked with the same disease; but they had it more mildly, and they all recovered: they were sent into the military hospital. Two days after I was called in I reported Mrs. Davis's case to Surgeon Innes, of the 56th Regiment, as a case of yellow fever. He did not see the woman till the Friday evening before she died, about six o'clock. I also reported the case to Dr. Farr, who was then principal medical officer, and also mentioned it as a case of yellow fever to Major Oakeley, then in command of the regiment. This case was registered by me as a case of yellow fever. About the 24th of August I saw cases of yellow fever among the convicts on board the "Thames" hulk, in St. George's; it spread very rapidly on board that vessel. About four or five days after then, I saw at least 60 convicts lying on the deck of the "Thames" with yellow fever, and also some cases of convict guards and civilians in the town, one named Greylion. I also saw Cusack, who had the fever, and was then living in the nearest house to the convict hulk. He died of it; his wife and two of his children also died of it; and several other fatal cases. I was myself attacked on the 4th of September, and was on the sick list till the 3d of October. I went to Port's Island on 4th of October, in medical charge of the military hospital there, and continued there until the January following, and treated 117 cases there; and have seen in the course of the epidemic fully 300 cases (*see* answer to two additional questions to printed list). I remember the arrival at St. George's of the Spanish war steamer "Blasco-de Yaray." In consequence of a fisherman named Swan having been run over by the steamer in coming into harbour and killed, I went on board with Dr. Frederick Hunter. The man was lying on the lower deck. I also visited the sick belonging to the ship with the surgeon of the ship, and I saw no case of fever. I dined on board, so did other officers of the garrison, during the time (about a week) she remained here, and there was a considerable interchange of civility between the officers of that ship and the officers of the garrison. She lay here about a week. I know of no reason to ascribe the introduction or increase of the fatal epidemic to the arrival of that steamer, her officers, or crew. I was the first officer of the garrison who had the fever; I was attacked 4th September. The next, I think, was Lieutenant Woodford, who was attacked on the 8th September. He died on Monday, the 12th; but I do not think either of the cases was contracted on board that steamer.

No. 57.

Oral Examination of *Esau Simmons*, of Paget Parish, Boatman, (aged 43 Years), taken the 3d day of April 1854, before the Commissioners.

Oral Examination of E. Simmons.

I REMEMBER the arrival of the British brigantine "Charles," Captain Taylor, from Demerara, at the Quarantine Ground, in Granaway's Deep, in October last. I took the health officer on board, when the quarantine signal was made for the vessel. She was at anchor when I went on board. I went on deck with the health officer. The pilot (I think it was Timothy Seymour) mentioned that the captain's wife was dead on board. After we got on board, the captain told the health officer that his wife was dead; that she died the day before their arrival here. The doctor asked him what was the matter with her. He said she had been sick before she left Newfoundland; that she had been advised to go to the West Indies with him on a trip for her health; and that in coming on here she got weak (and the captain also told me that he rather thought she was in a state of pregnancy). He said, that a few days after she left Demerara she began to get weak and languid, and would not eat anything; the most she would take was a little arrowroot with a little brandy in it, or a little brandy and water; that she died at last very quietly, and had her senses to the last moment. I asked him, as being from Demerara, whether she had died of fever. He said, no, she did not die of fever, but of debility arising from sickness she had before. I told him the reason I asked him whether she died of fever was, because I was very particular in going on board of vessels where there had been fever. He then told me there had been no sickness on board the vessel except his wife; and that the men had been doing all they could for his wife, and were worn out. I saw the crew on deck at the time, and heard nothing that day of any of them being sick. When I was coming away with Dr. Adolphus Harvey, the health officer, the captain

Appendix.

Oral Examination of E. Simmons.

asked me if he could get an air-tight coffin here to hold spirits, as he had plenty of rum on board, and that he would put the body in the coffin, fill it up with rum, and carry it on to Newfoundland. I told him I would come ashore directly and have one made. The doctor told the captain he thought he had better bury her on one of the islands, near the Quarantine Ground. The captain said he would not like to bury her on an island; would rather have her put in a churchyard in a burial-ground. The doctor said no more to him, and we shoved off. Before this, the doctor had gone below into the cabin, where the dead body was. I did not go below at all at any time. On our way coming down from the vessel to Hamilton in the boat, I asked the doctor whether she had died of fever; he told me she had no symptoms of it, and that he did not think that she had died of fever. On that same day I went to Messrs. Musson & Darrell, agents for the vessel; got from them an order to have an air-tight coffin made, and I went to Jackson, the carpenter, and ordered it. That evening about eight o'clock, I returned to the vessel with the coffin, and delivered it on board; I also went on board, but did not go below. The coffin was a square box, not in the shape of a coffin, made quite tight; seams were pitched. The captain asked me if there was a Catholic priest or a Catholic church here; he said his wife was a Catholic. I told him there was a priest here, but no Catholic church. Then I asked him what he intended to do. He said, he should take the body on to Newfoundland with him, and fill up the coffin with rum. I then handed him a note from Mr. Thomas A. Darrell (one of the agents for the vessel). The note stated that rather than they should carry the dead body to Newfoundland, he (Mr. D.) would allow it to be buried in his vault at Paget's Church. The captain said it was very kind of Mr. Darrell; he was much obliged to him, and would accept the offer. The next morning, according to Mr. Darrell's request, I made some arrangements to open the vault, and for the hearse to meet them at the landing-place near Paget's Church; and also acquainted Mr. Frith, the rector of the parish, that the corpse would be at the church at a certain hour, that day. About noon that day I returned to the vessel, then lying at the quarantine ground; the doctor went on board with me; as soon as we got there the coffin was passed out from the cabin, put in the boat, and we took it ashore; the captain came ashore with the body; it was landed at Paget's, met by a number of sea captains, who attended with the agents, and who took it to the church; I went to the church, met the clergyman there, and the corpse was buried there in Mr. Darrell's vault in the churchyard. There was not the slightest offensive smell from the coffin; I helped to lift it in and out of the boat. By the special order of the mayor, that no other boat was to go to the "Charles" but mine, I attended them every alternate day while she was here to carry them supplies; sometimes I went every day, successive days. I went to church, supposing the captain might want the boat to take him back to the vessel again. After the funeral was over the captain came down to the boat; he asked me if he could find a boarding-house, as his wife was dead and off the vessel, he did not wish to go on board again till the vessel was cleansed. He came across the harbour to Hamilton, and Messrs. Musson & Darrell had made some arrangements for him to board at Mr. Findlater's, near the Court-house in Hamilton. The captain gave me a scrip to carry to the mate for some clothes this evening; the next day I brought the clothes to Hamilton. The next day after the funeral I went alongside, but not on board the vessel; asked how they all were; they said, "All well" (the pilot had left the vessel the same day the vessel came to anchor; rather before the doctor left her, I think the pilot spoke to the doctor and had leave to go on shore). I was attending the hospital at Port's Island at the same time. On the third day after the funeral I luffed alongside the "Charles," on my way from Port's Island, with a couple of fowls for them and some bread; the doctor was not in the boat at this time; I did not go on deck, but passed up the fowls; the mate asked me where the captain was; I told him he was at Hamilton. I asked if he wanted him; he said, "Yes"; he did not tell me what he wanted him for. The day before that the doctor had asked me to take him on board this day; he appointed a time for going off with me. I went to the captain, told him the mate wanted him; that the doctor was going off, and he could go with us. The captain and doctor went off with me about noon to the "Charles." When we got alongside, the doctor went on board first, then the captain; I also went on deck. The captain asked the mate what was the matter. He told him one of the men was very complaining. The captain

captain asked if he had given him any medicine. He said, "No." The doctor asked the captain if he had a medicine chest on board. He said, "Yes." The chest was brought on deck; the doctor opened it, and gave out some medicine for the sick man; I think he was the second mate. The sick man was standing upon deck; I saw him; he complained of violent pains in his limbs. I thought at the time the man looked more as if he was frightened. The doctor said he would come and see him next day, and left directions about giving him gruel, &c. The next day I went again with the doctor to the "Charles;" the sick man was on deck; they had a kind of awning over him; I did not go on deck then; I went no further than on the gunwale. The captain went with us, but did not go on board. While the doctor was on board the man was taken with spasms, convulsions; it took one or two men to hold him; he seemed delirious. He was, apparently, about 40 years old; a white man. The doctor gave him some more medicine, and said he thought he would not live the night out, and that he had no doubt he had the yellow fever. I saw him; he looked very yellow. We came ashore. The doctor and captain returned with me. The captain asked me that day to order a coffin in case the man should die. I went to the agents, and ordered a coffin from Jackson. The next day the signal was made from the vessel that the man had died. I took the coffin up that same evening. I passed it on deck, but did not go on board; the body was ready sown up in a hammock, and they put it into the coffin. I would not let it come into my boat; the ship's boat was hoisted out, the body put into it, and carried to one of the small uninhabited islands called Rabbit Island, and buried there, at a place which I pointed out to them, by the first mate and some of the sailors. In returning from the island to the vessel, I was towing the ship's boat, it was blowing fresh; the men were in the ship's boat. I asked them how they thought this man got the fever, and they said it must have been in the ship, for they lost a man by fever while coming from Demerara; and that the crew they had on board then, with the exception of two or three, was a fresh crew, for they had lost their former crew by fever at Demerara; this was spoken openly by the people in the boat. At the time they told me this, the first mate was in the boat, and a Portuguese passenger, who was said to have a great deal of money; and it was not contradicted by any body in the boat. On the day the second mate died, arrangements were made by the Board of Health for all the people in the vessel to go ashore at Burt's Island, for the vessel to be cleansed. One of the after hatches was open, and bad smells came from the hold. She was not full of rum, but had some Demerara mud, what they call "coddy," for ballast; the rum was on it.

The captain told me himself, the afternoon the man was buried, they had a lot of this "coddy" on board for ballast, and he did not want to go away until he had got some chloride of lime to purify the vessel. The day after the funeral the men were moved to Burt's Island, and no more sickness occurred among them. I don't know whether she was purified or not. Two days after the man was buried I carried some stores up for them, but would not go alongside the vessel; they took the things out of my boat into their boat at the island. No people went from the shore to cleanse the vessel that I know of. The "Charles" arrived at the quarantine ground on a Monday, and sailed for Newfoundland the Sunday following. I believe mine was the only boat alongside from the shore, while she was here, except the pilot's boat. At the time the "Charles" was at the quarantine ground, the hospital at Port's Island was occupied by fever patients of the troops, who had gone there the day before the "Charles" arrived. The "Charles" lay about half-way between the mainland and Port's Island.

On the Sunday morning she went to sea, I took the captain on board. He then told me himself that they had lost a man by sickness in coming from Demerara, and that he did not like to go to sea without having the vessel cleansed.

Some time before the "Charles" arrived there had been many deaths from fever at St. George's, at Ireland Island, and also at Hamilton.

Appendix.

No. 58.

Oral Examination of Private *Thomas Derring*, 56th Regiment, taken the 12th day of April 1854, before the Commissioners.

Oral Examination of Private Thomas Derring.

Was stationed at Paget Island before the fever broke; remembers Mrs. Davis's illness; Davis, her husband, has left Bermuda. This witness was employed on Paget Island for several months before Mrs. Davis's illness; was working as a gardener near the house where she lived; was in daily communication with the house where she and her husband lived; had no reason whatever to believe that Mrs. Davis ever picked up any bundle of clothes which drifted ashore; and if such a thing had happened this witness must have known it. After Mrs. Davis's death, this witness went to live in the house where she had lived; stayed there with her husband. A week after her death, this witness, and Davis, and Davis's son, were all attacked with fever; on my recovery I first heard a rumour of Mrs. Davis having picked up a bundle of clothes; for which rumour I believe there is no foundation.

No. 59.

Oral Examination of Surgeon *Innes*, 56th Regiment, taken on the 14th April 1854, before the Commissioners.

Oral Examination of Surgeon Innes.

I remember the arrival of the Spanish war steamer "Blasco de Garay," at Bermuda in August last. I was acquainted with several of the officers of that ship, and was frequently on board. I went all over the ship, and especially visited the sick bay, in company with the surgeon of the ship; there appeared to be no case of fever on board. Before going on board, I had inquired of the surgeon if there were any cases of fever on board; he assured me there were none; nor did the sick whom I saw appear to be labouring under fever. I conversed with the surgeon of the ship in French. When I visited the sick bay of the ship, assistant-surgeon Deeble was not with us, although I have heard that he also visited the sick bay of the ship on another day.

During the stay of this ship at Bermuda, I was frequently in company with her officers both on shore and on board; and nothing ever came to my knowledge, leading me to believe that she had fever on board, or that the epidemic here could be attributed to her arrival.

No. 60.

Oral Examination of *Israel Burcher*, of St. David's Island, Pilot, aged about 38 years, taken the 17th day of April 1854, before the Commissioners.

Oral Examination of Israel Burcher.

I am a branch pilot, and have been so about 18 years. I reside at St. David's Island, at the east end, on the south side of St. David's Island, near St. David's Sound, in Mr. Barr's cottage.

I remember the steamer "Merlin" arriving from St. Thomas, in June last. I was pilot of her. I took her first to the quarantine ground in St. George's Harbour, near the entrance of the harbour; anchored there, because I was told there was the dead body of a lady on board; anchored about 7 A.M.; boarded the vessel about 4 A.M. I was told by Captain Cronan that the lady had died about five minutes before I got on board. The captain said he thought she died broken-hearted, because she had to leave her husband, who was the captain of some collier ship in the West Indies; that she came on board the "Merlin" at St. Thomas, and brought two children with her; that she was ill when she came on board. One of the children was about six years old, the other three or four months, not weaned. I remember there was a doctor on board, a passenger. Outside the harbour I did not hear him say anything about the cause of the lady's death; but after the health officer (Dr. Frederick Hunter) came on board, and after the body of the lady had been brought on deck, on a stretcher, the

the doctor, who was a passenger, told me that he thought she might have died of fever. I saw the lady's face; she looked quite yellow, like the bodies which I have seen since of white persons who died of yellow fever. A coffin was brought from the shore, and the corpse was put in it, on the quarter-deck, by some of the crew. I did not assist or touch the body at all. At that time there was no alarm about fever in Bermuda. I had not heard of a single case of fever in Bermuda at that time. The body of the lady was taken on shore the same day to be buried, in the ship's boat. The captain, the mate, and the engineer went with it; some of the passengers had gone ashore before. There were as many as eight or nine passengers. After the body was taken ashore I went below to the cabin, to get my breakfast. The two children were in charge of the stewardess in the berth which had been occupied by the deceased lady, as I was told by the second mate. The captain came on board again about half-past 3 P.M.; the passengers stayed ashore. About noon the children were taken ashore by the stewardess, in a shore boat; they did not come on board again that day. I neither saw nor heard of any clothing or bedding being thrown overboard from the steamer, either before or after she came into port; I carried nothing of the sort ashore. I did not see or hear of any fumigation or smoking of the cabin where the dead body had been. The children were taken to Mrs. Swainson's house, in the town. I did not hear of any sickness at Mrs. Swainson's afterwards. Mrs. Swainson obtained a nurse to go on to New York with the children; the nurse was the wife of Mr. John G. Allen, of St. George's; she came back to Bermuda the next voyage. I did not hear of her having the fever. I remained on board the steamer that night, being short of coal, and not able to obtain it at St. George's. The next morning, between 3 and 4 A.M., got under weigh, and proceeded to Ireland Island, where she was coaled, in the Camber, by convicts; the convicts only wheeled the coals on board, they did not go below. The steamer returned to St. George's that day, about 4 P.M. Went into the harbour there, and lay off Ordnance Island. The passengers, and the two children with the nurse, came on board that evening. The next morning a lady passenger for New York (Mrs. Musson) came on board, and the steamer got under weigh about 5 A.M., and proceeded to sea. I returned home about 7 A.M. I have no children; myself, my wife, and a young woman living with us, were all of my family. About a week afterwards my wife was taken with headache and pain in her limbs, to which she has been subject every summer on taking the least cold; this attack of my wife was similar to attacks she had had before. No doctor attended her. She used some sage tea and warm baths, and got well in about three days. I don't consider she had yellow fever. About three days after my wife got out, the young woman living with us (Rachel Trott) was taken ill, something in the same way as my wife, with headache and pain in her bones. She got well in three or four days. No doctor attended her. I did not think she had yellow fever. I was not ill myself at all, then or since.

I know the family of Benjamin Fox, the pilot, who lives on St. David's Island, about a quarter of a mile from where I live. His oldest son, John Fox, about 21 years old, went away as a seaman in some American vessel, early in 1853, and never returned. It was reported that he died at sea, of yellow fever, after having been at New Orleans. I heard afterwards that his clothing was brought home in the "Princess Royal" from New York. Benjamin Fox was pilot of that vessel, but would not bring the clothes on shore; the captain afterwards sent them ashore to St. David's Island. I heard they were put in an out-building separate from Fox's house, and he would not allow them into his house.

The first case of yellow fever I heard of was at St. David's Island; it was that of Samuel Fox, a younger son of Benjamin Fox, aged about 10 or 12 years. He died after a few days' illness. Samuel Fox had not been at my house that I know of, nor any of my family at his house. His father said that Samuel died with black vomit. Before I heard of Samuel Fox's illness, I had heard that his brother's clothing (which came in a bag) had been opened and washed at the sea side by one of his sisters, Jane, who died some time after him. I heard that the clothing was used in the family, but I don't know when. I have heard Mr. Benjamin Fox say that it might have been the case that his son Samuel took the fever from his brother's clothes. Samuel was too small to wear his brother John's clothes, but he had another brother, about 15 years old, named Joseph, who, I

Appendix.

Oral Examination of Israel Burcher.

heard, had a slight touch of the fever, after his sister died, and after the fever had become general in St. George's.

After Samuel Fox's death, and after cases of fever at St. George's, I heard o the daughter of James Smith, of Smith's Island, having the fever. She recovered. This was about the time of the middle of the fever. I had heard of sickness on board the "Thames" before Samuel Fox's death; they called it the cholera. I did not see any of the cases. I had frequently noticed a bad smell from the "Thames" in passing along the road, even before the gale, when she started her moorings; about a week after then the smell was very bad. Lately, since the "Thames" has been taken out into the stream of the harbour, I have noticed a bed of mud in the place where she used to lie; at low tide the water would be about three feet deep there, above the bed.

No. 61.

Oral Examination of *Thomas Pierce*, Quartermaster of the "Thames" Hulk; taken the 25th day of April 1854, before Colonel Oakeley and the Solicitor-General.

Oral Examination of Thomas Pierce.

I HAVE been quartermaster on board the "Thames" hulk for the last three years, and was on board of her the whole time the fever raged in 1853. I know that the sanitary precautions directed by Governor Elliot were regularly observed down to the time when the fever began, in August. I was in the "Coromandel" hulk at the naval yard all through the fever of 1843, and from all I saw of that sickness, I consider that the case of Robert Hall, a convict on board the "Thames," was one of yellow fever; and I think there were many other cases of yellow fever on board the "Thames" at the time Mr. Howes took charge of her. I had charge of the between decks of the hulk "Thames," and know that down to the time the fever began she was clean, and that every precaution was taken to preserve health. No prisoner had been confined for any length of time in the black hole (that is, for more than a few hours at a time) for a month or more before the fever broke out. I have no reason to believe that the fever on board the "Thames" was occasioned by the employment of the prisoners between decks, nor by any other work they had to perform. In the gale of wind in August the position of the hulk was changed to about six feet more in shore, and she worked a great deal during the gale. The mud and filth around the hulk were often cleared away, and were so in the last spring. I think there was less of it at the time of the gale than at some former periods. The men attacked by fever were for the most part of good behaviour and character. During the months of June and July several of the prisoners were severely attacked with cholera. I remember no change of prisoners or guards on board the "Thames" for some time previous to the outbreak of the fever. There was no frequent intercourse between the "Thames" and Boaz Island. About once a week boats would come to the "Thames" from Boaz Island for the sick, or on other duty, when telegraphed for; but when the fever became very bad, the sick bay was overcrowded, and the patients had to lie along the decks. I believe there was no intercourse between the "Thames" and the Spanish steamer. There has been no military guard over the convicts for three years past, except after the death of our guards during the fever. A sentinel was posted on the parapet on the hill above the "Thames."

No. 62.

Table distributing Mortality from Endemic Homigastric Fever at the various Stations occupied by Troops, from August to December 1853.

STATIONS.	Average Strength of Troops.	OFFICERS.		MEN.		WOMEN.		CHILDREN.		TOTAL.	
		Attacked.	Deceased.	Attacked.	Deceased.	Attacked.	Deceased.	Attacked.	Deceased.	Attacked.	Deceased.
Royal Barrack and Ferry Point	339	3	1	252	99	11	6	24	7	283	114
Military Prison	15	–	–	13	7	–	–	–	–	13	7
Officers' Quarters	27	6	2	26	20	–	–	–	–	32	22
Fort Cunningham	28 Sept.	–	–	11	4	1	1	1	–	13	5
Fort Victoria	69 A.	1	1	81	44	1	1	1	–	84	46
Fort George	57	–	–	26	6	1	–	–	–	27	6
In Lodgings	28	13	8	12	7	8	6	–	–	33	21
Prospect	288 Nov.	–	–	52	17	1	1	1	–	54	18
Oxford	60	–	–	5	1	–	–	–	–	5	1
Tucker's Island	156 Nov.	–	–	3	–	–	–	–	–	3	–
Ireland Island	442 Sept.	3	–	63	26	2	–	1	1	69	27
Hamilton	74	–	–	15	5	–	–	–	–	15	5
Port's Island	81 Nov.	–	–	17	9	–	–	–	–	17	9
In Tents, at St. George's	– – –	–	–	16	8	12	8	23	6	51	22
Fort Albert	– – –	–	–	8	2	1	–	–	–	9	2
Fort Catherine	– – –	–	–	6	1	–	–	–	–	6	1
Artillery Quarters	– – –	2	2	4	2	1	–	–	–	7	4
Hen Island	2	–	–	2	2	–	–	–	–	2	2
Lodgings, Royal Artillery	– – –	3	1	20	10	16	3	16	4	55	18
Ordnance Hospital	– – –	–	–	7	5	1	–	1	1	9	6
Royal Sappers and Miners' Barracks, St. George's	48 Sept.	–	–	36	20	3	1	–	–	39	21
Western Redoubt	1	–	–	1	1	1	1	–	–	2	2
Lodgings, Sappers and Miners	– – –	–	–	1	1	1	1	–	–	2	2
Mount Langton	12	–	–	–	–	2	–	–	–	2	–
Gibbs Hill	4	–	–	–	–	–	–	–	–	–	–
		31	15	677	297	63	29	68	19	839	360
CORPS:											
Royal Artillery	147	7	3	91	48	20	3	18	5	136	59
Royal Sappers and Miners	88	4	2	48	25	8	4	3	–	63	31
56th Regiment	1,005	15	6	535	222	30	20	40	12	620	260
Ordnance and Commissariat Department	– – –	5	4	3	2	5	2	7	2	20	10
Total	– – –	31	15	677	297	63	29	68	19	839	360

This Table has been compiled with great care, as each individual case has been examined, and is, with its result, attributed to the station where the malady probably originated.

1. It was found impossible to separate the total number of sick occurring in St. George's from those at Ferry Point, after encampment, as they were generally both treated indiscriminately at the same hospital; and all the early cases of fever at the latter station were probably contracted at the former.

2. Fort Cunningham. The actual number of casualties on this detachment was, 13 attacks and eight deaths; 11 of the first and four of the last could only be attributed to Fort Cunningham.

3 and 4. Forts Victoria and George. An unfair deduction would, without explanation, be drawn from the very disproportionate mortality at these two stations. In comparing them, the numbers at Fort George must be stated as follows:—Men attacked, 59; men died, 31; which represents the actual loss of the detachment; but of these 36 attacks and 25 deaths were clearly attributable to extraneous sources; it thus appears that of 23 attacks originating here only six died; and of 36 elsewhere, 25 died. With Fort Victoria all its garrison were so continually employed in general fatigues that this separation could not be made.

5. Prospect Hill. On the above principle, the casualties at this station represent only the number who appeared to have contracted the disease on the spot, and not to have imported it.

(signed) *S. Oakeley*,
Lieutenant-Colonel, 56th Regiment.

Bermuda, 29 April 1854.

Appendix.

No. 63.

Epidemic at St. George's.

At a late hour last night we received, by dispatch from St. George's, the subjoined letter. Hoping it may have the effect contemplated by the writer, of quieting the public mind to some extent, we stop the press to give it a place in our to-day's impression. We avail ourselves of the privilege granted us, and affix the writer's name, feeling assured that greater reliance will in consequence be placed in the information therein conveyed.

To the Editor of the "Royal Gazette."

Dr. Innes's Letter to the Editor of the Gazette.

My dear sir, St. George's, Monday 5th, 4 P.M.

So much anxiety prevails on the subject of the existing epidemic at St. George's, that the positive data with which I can furnish you may perhaps have the effect of quieting the public mind.

Yellow fever presents two varieties, the one which is specially so called, of a highly inflammatory kind, running rapidly its fatal course, and diffusing around it its malignant influence; the other of a milder form, more insidious in its approach, slower in its progress, and by far the less fatal. To the latter class belongs the disease which has of late, and not causelessly, created so much alarm. Its first appearance was in a house near Fort Cunningham, and which in the person of the wife of a soldier of the 56th Regiment proved fatal, after a severe day's illness. The "Thames" convict hulk has simultaneously invaded; and up to the present time, 30 convicts and six guards have become its victims; while, with but few exceptions, all the inmates of the ship have succumbed to its influence. This large mortality is evidently in the present instance due to its concentration.

The "Cassius" having been moored in St. George's Harbour, the convalescents and healthy were, in the middle of last week, transferred to its deck, since which measure the virulent nature of the fresh cases has much abated. On Sunday the "Weymouth" was brought from Ireland, and the sick at once transferred to her. No fresh instances of illness have occurred, although several of those previously affected will probably terminate fatally.

In the town of St. George a few scattered instances of its presence have been felt, a circumstance by no means surprising when the sad condition of many of its ill-constructed and crowded dwellings, with its narrow and ill-ventilated alleys, is considered.

The garrison, too, has come within its influence, but amongst the soldiery the cases which have of late appeared have been of an infinitely milder nature than those at first admitted to the regimental hospitals. In the 56th Regiment, three men and one woman have died, but the only ones considered at present of a precarious nature are those which came under treatment before the 2d instant. In the Artillery and Engineers, likewise, the mortality, which has been confined to one of each corps, does not seem likely to extend itself.

The detachment at Fort Cunningham, where its germ first grew, has yielded a greater amount of disease than other localities, in consequence of which they have removed their camp to the Ferry Point. The married families of the regiment have also been ordered to vacate the town and take up their quarters under canvas in the rear of the barracks.

You are quite at liberty to make any use of this communication you like; but however you may use its substance, I do not wish my name to be appended to it unless you yourself are particularly anxious for the same.

Yours, &c.
(signed) *I. H. K. Innes.*

EPIDEMIC (BERMUDA).

COPY of a DESPATCH from the Governor of *Bermuda*, enclosing a REPORT from the Commissioners appointed to inquire into the Origin of the EPIDEMIC which lately prevailed at *Bermuda*.

(*Mr. Peel.*)

Ordered, by The House of Commons, *to be Printed*,
23 *December* 1854.

[*Price* 1 *s.* 8 *d.*]

16.

Under 24 *oz.*

DEMERARA.

RETURN to an Address of the Honourable The House of Commons, dated 29 March 1855;—*for*,

"COPIES or EXTRACTS of CORRESPONDENCE between the Secretary-at-War, the Secretary for the Colonies, and the Governor of *British Guiana*, concerning the Maintenance and Repair of the SEA WALL protecting the Barracks at *Georgetown, Demerara*."

Colonial Office,
7 August 1855.

JOHN BALL.

(Colonel Wynn.)

Ordered, by The House of Commons, *to be Printed*,
8 *August* 1855.

SCHEDULE.

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9	J. Wood, Esq., to T. Frederick Elliot, Esq.	22 May -	Furnishing additional information in connexion with the foregoing Communication - - - - - - - - -	11
10	Lieut.-Colonel Mundy to J. Wood, Esq.	12 June -	Enclosing Copy of a Despatch addressed to the Governor of British Guiana, communicating the decision arrived at in favour of abandoning the Works in question - - -	12
11	The Duke of Newcastle to Governor Wodehouse.	12 June (2)	Communicating the above Decision - - - - - -	12
12	Governor Wodehouse - (Extract.)	9 Sept. (67)	Comprising a Report of the Proceedings which had been adopted at a Special Session of the Combined Court, on the subject of the Maintenance of the Sea Wall at Georgetown - - - - - - - - - - - -	13
13	The Duke of Newcastle to Governor Wodehouse.	27 Oct. - (2)	In reply to the above Despatch - - - - - - -	19
		1855:		
14	Governor Wodehouse -	22 Jan. - (13)	Representation by Engineer Officers of the immediate jeopardy in which the Sea Wall and the property protected by it had been placed by the increased action of the Sea -	20
			The Combined Court authorizes the Executive Government at once to commence the Works.	
			Proposed transfer to the Colony of certain Ordnance Lands required for the necessary Works.	
15	F. Peel, Esq., M. P., to J. Wood, Esq.	15 March -	Communicating copy of the previous Despatch, and suggesting issue of authority for the proposed Transfer of Land - -	32
16	Governor Wodehouse - (Extract.)	23 Feb. - (22)	Reporting the sudden Destruction by the Sea, of nearly the whole of the upper part of the Embankment of the Sea Wall, and the measures taken for preserving Military Property, the Removal of Buildings, &c. - - -	33

COPIES or EXTRACTS of CORRESPONDENCE between the Secretary-at-War, the Secretary for the Colonies, and the Governor of *British Guiana*, concerning the Maintenance and Repair of the SEA WALL protecting the Barracks at *Georgetown*, *Demerara*.

— No. 1. —

(No. 3.)

No. 1.
The Right Hon. Earl Grey to Governor Barkly.
28 July 1849.

COPY of a DESPATCH from the Right Honourable Earl *Grey* to Governor *Barkly*.

Sir, Downing-street, 28 July 1849.

THE attention of Her Majesty's Government has been called to the expenditure which the British Treasury has for many years past sustained for the maintenance of the dam at Fort William Frederick, which protects the barracks and part of Georgetown.

As it appears by the accompanying Report of a commission of engineer officers, who examined the work in the year 1824, that the use of the dam is not confined exclusively to military purposes, I have to acquaint you that no expense will in future be incurred by the Ordnance department for its maintenance, excepting what may be indispensable for the preservation of the barracks, and that it will rest with the colony to provide for keeping it up, so far as it may be considered necessary, either for the navigation of the river or for shielding the town against inundation.

20 January 1824.

I have, &c.
(signed) *Grey*.

— No. 2. —

(No. 2.)

No. 2.
Governor Barkly to the Right Hon. Earl Grey.
4 January 1850.

COPY of a DESPATCH from Governor *Barkly* to the Right Honourable Earl *Grey*.

Government House, 4 January 1850.
(Received 2 February 1850.)

My Lord, (Answered 12 February, No. 5, Military, page 5.)

WITH reference to your Lordship's despatch, marked Military, No. 3, of 28th July last, respecting the expenditure sustained for many years past for the maintenance of the dam at Fort William Frederick, which protects the barracks and port of Georgetown, and which expenditure the Ordnance department declines in future to incur, I have now the honour to state that, after obtaining from the resident Engineer officer a report upon the state of this dam, showing it now to be in good repair, I called the attention of the Town Council, as the proper authority, to the subject, which however, as your Lordship will observe from the enclosed copy of their minute, they declined to entertain. Upon this, I felt it my duty to refer the documents to the Combined Court at its recent meeting; but as they necessitated no grant of money, I could not succeed in eliciting any definite expression of opinion from the financial representatives, beyond a statement of their objection to bear any portion of the expense, on the ground that as a sufficient number of negroes was formerly made over for the purpose, Her Majesty's Government were bound to supply their places with other labourers when they thought proper to give them their freedom.

Enclosure 1.
Enclosure 2.

Had the claim been urged before the recent large outlay upon the dam, the colonists would have been obliged, in self-defence, to acknowledge its validity, because it would then have been possible for the Ordnance, in the event of refusal, to abandon Fort William Frederick, and protect the barracks and the

rest of their propeaty by constructing a fresh dam in another direction. As the matter now stands, it seems to me, though as a civilian my judgment is necessarily imperfect, that the whole of the Crown property must be swept away before the town could suffer; and under these circumstances it will be difficult to make the Combined Court contribute towards the maintenance of the works necessary to resist the encroachments of the sea, which have, however, I am happy to add, temporarily abated.

I have, &c.
(signed) *Henry Barkly.*

Encl. 1, in No. 2.

Enclosure 1, in No. 2.

Sir, Royal Engineers Office, Demerara, 6 November 1849.

I HAVE the honour to report, for the information of his Excellency the Governor, in answer to a reference to this department, dated 3d September 1849,

That the whole length of the sea barrier, extending eastwards from the western angle of Fort William Frederick, is now, as far as regards danger of inundation, in a satisfactory state, much money and labour having been expended thereon for some years past by Her Majesty's Government.

There are within the fort some portions of the work where the new wooden wall requires to be supported behind with earth and stones, to strengthen the piles and sheeting, which at present bear the whole force of the water. It would be most desirable never to wait for a breach, but to be prepared to strengthen any portions observed to be weak, or for the time particularly attacked by the scour of the sea, with Essequebo granite and with clay, as has been done for some time past. If this service be attended to in time, a moderate expense will probably for many years be sufficient for the protection of the town and barracks. If it be neglected till an actual breach has been made, the damage can be made good only at a heavy cost, aggravated by the necessity for operation devised on the instant.

The present secure condition of the dam is attributable solely to the liberal grants of Her Majesty's Government for some years past, and any one in the colony who has witnessed an even partial inundation will be able to estimate the advantage derived by Kingston from these grants; for it cannot be doubted that, had the authorities at home thought proper to evade the heavy expense which they so promptly allowed, the colony would have been compelled, many months since, to undertake the same works, or to throw up a new dam for the protection of the town, either alternative involving a cost which would probably have been found very inopportune.

This important work having, however, been provided for and executed as above stated, there is at present no question regarding large outlay; but to avoid future large outlay, constant examination and repair are to be recommended.

The sums expended on the dam, for a series of five years past, are as follows; viz.,

	£.	s.	d.
1844	289	2	–
1845	272	16	6
1846	306	9	1
1847	6,142	3	7
1848	5,652	13	8

Some small part of the above amount has probably been required to adapt the work to military purposes, but the great bulk of the disbursements has been simply for the purpose of effectually excluding the water.

I have, &c.
(signed) *W. G. Hawley,*
Captain, Royal Engineers.

The Honourable William Walker,
Government Secretary.

Encl. 2, in No. 3.

Enclosure 2, in No. 3.

Town Council Hall, Georgetown,
Sir, 12 December 1849.

I HAVE the honour to transmit herewith an extract from the minutes of the Town Council, under date the 3d instant, and to request that you will be pleased to lay the same before his Excellency the Governor.

I have, &c.
(signed) *H. A. Pollard,*
Secretary, Town Council.

The Honourable W. B. Wolseley,
Assistant Government Secretary.

EXTRACT

EXTRACT from the Minutes of the Proceedings of a Special Meeting of the Town Council, held in the Council Hall in the City of Georgetown.

Monday, 3 December 1849.

WAS read letter from the Honourable W. B. Wolseley, Assistant Government Secretary, transmitting sundry documents relating to Fort William Frederick, and expressing a hope, on the part of his Excellency the Governor, that an equitable arrangement may be come to for a contribution from the town funds towards "keeping up the dam at the fort, in lieu of the quota of slave labour formerly furnished by the inhabitants for the purpose."

F. I.

ORDERED, the Town Council do not consider themselves authorised to enter into the subject of the Honourable Assistant Government Secretary's communication.

(True extract.)

(signed) *H. A. Pollard,*
Secretary, Town Council.

— No. 3. —

(No. 5.)

COPY of a DESPATCH from the Right Honourable Earl *Grey* to Governor *Barkly*.

No. 3.
The Right Hon. Earl Grey to Governor Barkly
12 Feb. 1850.

Sir, Downing-street, 12 February 1850.

I HAVE to acknowledge the receipt of your Despatch, No. 2, of the 4th ultimo, in which you report to me, in answer to my instructions, No. 3, Military, of the 28th of July last, the refusal of the Town Council, as well as of the Combined Court, to bear any portion of the expense of repairing the dam at Fort William Frederick.

In my instruction of the 26th of December, I stated to you my opinion, founded upon a report made by the Royal Engineers at Demerara, on the state of the dam, that the whole of the expense of maintaining that work ought to be undertaken by the colony.

I have now to acquaint you that it is entirely out of my power to recommend to the Lords Commissioners of the Treasury to sanction an application to Parliament for any further grants for the maintenance of the dam; and that if the Town Council and Combined Court should persist in declining to provide for that work, I shall have no alternative but to adopt the course of withdrawing the Queen's troops, since I cannot anticipate that Parliament would be prepared to continue to make grants for an expense of a character so strictly local; and, on the other hand, Her Majesty's troops could not be retained in the barracks they now occupy if it should be rendered unsafe or unhealthy by the neglect of the dam which has been constructed for its protection.

I trust, however, that the colonists will make it unnecessary to have recourse to that alternative, as they must upon reflection perceive that the Home Government has acted towards them with great liberality in defraying the heavy expenditure which has been incurred for years past upon a work of this description.

I have, &c.

(signed) *Grey.*

— No. 4. —

(No. 4.)

No. 4.
Governor Barkly to the Right Hon. Earl Grey.
7 April 1851.

COPY of a DESPATCH from Governor *Barkly* to the Right Honourable Earl *Grey*.

Government House, 7 April 1851.
(Received, 8 May 1851.)

My Lord, (Answered, No. 11, 13 May 1851, page 7.)

WITH reference to your Lordship's Despatch of 12th February 1850, Military, No. 5, on the subject of the dam at Fort William Frederick, I have the honour to enclose Extract Minute of the Combined Court, from which your Lordship will perceive that a proposition to place on the Estimate the sum of 1,272 dollars, which I was informed by the Engineer officer here, was the least amount requisite to keep it in repair during the present year, was negatived by a large majority of elective members.

The extreme party justified this refusal to contribute on the ground that they were called on to do so under a threat of the withdrawal of the troops, a matter as to which they are indifferent; whilst the moderate section gave as their reason, that this sea-wall was not at all necessary for the safety of the suburb called Kingston, which might be protected by an inexpensive earthwork parallel with the public road, and several hundred yards within the Ordnance Store and Military Hospital, according to the usual custom in this colony, where land is seldom of sufficient value to be disputed for against the wash of the sea, which seldom lasts at any particular point for more than a few years at a time.

I am afraid that no arguments I can use will alter these views, and I must therefore content myself with awaiting your Lordship's further instructions in the matter.

I am, &c.
(signed) *Henry Barkly.*

Encl. 1, in No. 4.

Enclosure 1, in No. 4.

EXTRACT from the Minutes of the Proceedings of the Combined Court of British Guiana

Saturday, 3 April 1851.

READ despatch, No. 4, Military, Downing-street, 26th December 1849.

Also a despatch, No. 5, Military, Downing-street, 12th February 1850, relating to the dam at Fort William Frederick, with report of Lieutenant Belson, R. E., on the subject.

F. I.

Encl. 2, in No. 4.

Enclosure 2, in No. 4.

Royal Engineers Office, Demerara,
25 March 1851.

Sir,

IN reply to your letter of the 17th instant on the subject of the dam between Fort William Frederick and Plantation Thomas, I have the honour to inform you, that the sum of 265*l.* has been demanded in our annual estimate for keeping the dam in question in repair during the present year. I am not able to say yet whether it will be granted; but even if it should be, I consider it inadequate to the performance of the additional work, which I consider desirable to render the dam perfectly secure against extraordinarily high spring-tides. That it is not so entirely, was shown on a late occasion, when two or three breaches were made in it. His Excellency the Governor is aware that Her Majesty's Government has come to the conclusion to expend no more money on its repair than may be found essentially necessary for the protection of the Ordnance property, but there can be no doubt that a much larger sum than that demanded in one estimate could be expended with good effect; and if his Excellency could obtain a grant from the Combined Court, it would be of essential service.

I have, &c.
(signed) *F. Belson,*
Lieutenant, Royal Engineers.

The Acting Government Secretary,
British Guiana.

THE

The Honourable the Attorney-general, seconded by his Honour the High Sheriff, moves that the Court of Policy be requested to place on the estimate the sum of $1,272 for keeping up the dam between Fort William Frederick and Plantation Thomas.

For:	Against:
Attorney-General.	Mr. Gilbert.
High Sheriff.	Mr. Hicks.
Mr. Craig.	Mr. Daly.
Acting Government Secretary.	Mr. O'Donoghue.
Chief Justice.	Mr. Brand.
	Honourable Mr. Brooke.
	" Rose.
	" Bean.
	" Haynes.
	Honourable Gon Netscher.

(Motion lost.)

— No. 5. —

(No. 11.)

No. 5.
The Right Hon. Earl Grey to Governor Barkly.
13 May 1851.

COPY of a DESPATCH from the Right Honourable Earl *Grey* to Governor *Barkly*.

Sir, Downing street, 13 May 1851.

I HAVE to acknowledge the receipt of your despatch, Military, No. 4, of the 7th ultimo, with the extract therein enclosed from the minutes of the proceedings of the Combined Court of Policy of British Guiana, from which it appears that the Court have declined to make the necessary provision for the repair of the dam of Fort William Frederick.

On this subject I can only refer you to the instructions which I addressed to you, under date of the 12th February 1850, No. 5, Military; and I have at the same time to acquaint you that, for the reasons therein stated, I am not prepared to recommend to the Lords Commissioners of the Treasury that application should be made to Parliament for a grant to defray the expense of the repair of the dam in question. I shall greatly regret if the damage done by the sea should, in consequence of the decision of the Combined Court, so injure the barracks as to render them no longer serviceable for the troops. But if the dam should be thus damaged, I fear that it will be impossible to afford to the colonists the protection which they have hitherto received from the garrison, unless it be in the power of the Colonial Government to provide other barracks without any increase of expense to the Ordnance Department. In the event of the withdrawal of the troops, it will be necessary that an increase should be made to the police force, and the Combined Court will do well to take timely measures for that purpose. As no danger exists of an attack from a foreign enemy against which Her Majesty's naval forces could not protect the colony, I see no objection to its trusting to a police force for its internal security, if the Combined Court prefer it.

I have, &c.
(signed) *Grey*.

— No. 6. —

No. 6.
Governor Barkly to the Duke of Newcastle.
28 March 1853.

EXTRACT of a DESPATCH from Governor *Barkly* to the Duke of *Newcastle*; dated Government House, 28 March 1853.

"As the subject of the sea wall, in connexion with this fort, has come before me officially, in consequence of the demand made upon the Colonial Legislature for a contribution towards its repairs, I may perhaps be excused for going further, and suggesting, for the consideration of those within whose department such a matter falls, whether it might not be practicable to effect a material reduction in the large outlay now incurred annually for maintaining it (an outlay constituting, if I am not misinformed, nearly the whole of the item of 11,624 *l.* set down

down under the head of "Land and Water Transport," in the Ordnance Returns sent to me for last year's Blue Book), by adopting a plan long practised on the coasts of England, and of late successfully followed by some of the planters in this colony for the protection of their estates against the incursions of the sea; which consists in carrying out groins or lines of piles at an angle to the direct force of the waves, whereby their violence is not only broken, but a deposit of sand or mud gradually accumulated for the protection of the land.

"In any event, I am confident that the few hundred pounds required to make so costly a work as this sea wall answer the primary object for which it was designed, namely, the proteetion of the colony, will not be grudged by Her Majesty's Government."

— No. 7. —

No. 7.
T. F. Elliot, Esq., to G. Butler, Esq.
12 May 1853.

COPY of a LETTER from *T. F. Elliot*, Esq., to *G. Butler*, Esq.

Sir, Downing-street, 12 May 1853.

REFERRING to the communications which were addressed to you from this office on the 28th of July and 26th December 1849, expressive of Earl Grey's opinion that no expense should thenceforward be incurred for the maintenance of the sea wall at Georgetown, Demerara, beyond what might be indispensable for the preservation of the barracks, I am directed by the Duke of Newcastle to request that you will move the Master-general and Board of Ordnance to favour him with a report upon the present state of the sea wall, accompanied by an account of the sums which may have been expended for its maintenance since the dates of the letters already adverted to.

I am further directed to state that his Grace would wish to be favoured with a report upon the actual condition of Fort Frederick, and the efficiency of its armament.

I am, &c.
(signed) *T. F. Elliot.*

— No. 8. —

No. 8.
J. Wood, Esq., to T. F. Elliot, Esq.
15 May 1854.

EXTRACT of a LETTER from *J. Wood*, Esq., to *T. F. Elliot*, Esq.; dated Office of Ordnance, 15 May 1854.

"WITH reference to your letter dated 12th May 1853, signifying the wish of the Duke of Newcastle to be furnished with reports of the actual condition of the sea wall at Georgetown, Demerara, and of Fort Frederick, in that colony;

"I have the honour, by desire of the Board of Ordnance, to forward to you, for his Grace's information, the following documents:—

"The copy of a letter from the Commanding Royal Engineer in the West Indies to the Inspector-general of Fortifications, dated 4th ultimo; with a copy of the latter officer's report annexed, dated 9th instant, on the general question of the sea wall and defences of Demerara.

* * * * * *

"An original report of the same date upon the present state of the sea wall and dam at Fort William Frederick, and the barracks at Demerara, with two plans."

Encl. 1, in No. 8.

Enclosure 1, in No. 8.

Sir, Royal Engineers Office, Demerara, 4 April 1854.

I HAVE the honour to forward herewith the Report upon the present state of the sea wall and dam at Fort William Frederick and the barracks at this station, as called for by his Grace the Duke of Newcastle. A plan and sections of the same are appended, and I have only to add, what I have advisedly refrained from alluding to in the Report, that notwithstanding the correspondence which has been entered into at various periods with the local

local authorities here, as to the expense this colony ought to bear in the maintenance of the sea barriers in question, no offer appears to have been made by them to co-operate in any the slightest degree with the Ordnance.

Nor could it be expected that they should do so as long as the Home Government continues, on the assumed grounds of protecting the barracks here, to maintain at its sole expense a barrier which equally protects the colonial town of Kingstown, and which, if abandoned by the Ordnance, would compel the local government to find funds for its maintenance.

I have, &c.

The Inspector-general of Fortifications.

(signed) *C. Wright*, Lieutenant-colonel, and Commanding Royal Engineer, W. I.

Extract of Report from the Inspector-General of Fortifications, dated 9 May 1854.

Forwarded to the Board with reference to their Minute of 16th May 1853, on the papers S/121 herewith returned.

The Report on these papers has been long deferred on account of imperfect reports received from the colony, which it was necessary to send back for clearer information.

It is now shown that the state of the wall is very imperfect, and likely to require a continual outlay to a considerable amount.

I enclose an account of the expense since 1844. 1st Appendix (A.), has not been paid by the Ordnance, but I presume by the colony. 2d Appendix (B. & C.), show the amounts that have been paid by the Ordnance from 1844 to 1853, for the maintenance of the sea and river wall. I also forward three Reports from the Commanding Royal Engineer, of the 4th April 1854, on the state of Fort William Frederick and the barracks, and on consideration of the great outlay required for their maintenance, I am inclined to recommend that they be abandoned, and if defences be hereafter deemed necessary for the protection of the colony, that some projects for permanent works, which will not require such continued repair, should be brought forward.

Enclosure 2, in No. 8.

Report upon the Present State of the Sea Wall and Dam at Fort William Frederick and the Barracks at Demerara.

Encl. 2, in No. 8.

Royal Engineers Office, Demerara,
4 April 1854.

The sea wall which protects Fort William Frederick, and the dam which forms a continuation of it along the remainder of the sea front of the Ordnance property at Demerara, have been for many years the subjects of several reports, and of a continuous outlay for their repair and maintenance.

The annual expenditure thereon does not appear, however, to have been very heavy until 1847, previous to which period the Ordnance frontage had been protected from serious damage by a corridor swamp extending about a quarter of a mile seawards, but which disappeared in 1845–7.

Since then the spring-tides have been encroaching upon the Ordnance lands.

In 1849 the danger became so threatening, that it was decided to form a breakwater of loose granite blocks in front of the sea wall, to prevent it from being carried away.

This breakwater was commenced in 1849, is still incomplete, had cost to the end of last year 50,491 *l.*, and certainly had not, up to that period, fulfilled the expectations formed of its protective powers, as the spring-tides of December 1853, accompanied by a strong north wind, destroyed about 180 feet of the sea wall at Fort William Frederick, and the spring-tides of the previous month carried away about 960 feet of the dam in front of the Royal Engineer establishment.

These breaches have since been repaired, at a cost of 1,483 *l.* 12 *s.* 9 *d.*; the sea wall has been strengthened, and the breakwater in front extended; the sea dam has been heightened, as well as widened; and they now offer a firmer section to the heave of the sea than they have hitherto done, with a probability of not requiring further repairs for some time.

It should, however, be here observed, that much of the granite which has been so liberally bestowed upon the breakwater appears to have been either absorbed by the mud or carried away by the scour of the sea; and so capricious has been the action of the tides of late years, that the eventual success of the breakwater against their future encroachment is, at best, but problematical.

It must also be borne in mind, that so long as the sea continues to encroach upon the land in the same degree that it has been doing for the last few years, constant additions of granite blocks will be required to this breakwater; probably not to the extent of its past cost, but certainly to an increasing outlay of indefinite amount, on the recurrence of similar spring-tides to those of last winter.

Various projects as substitutes for the present breakwater have been proposed.

Among others, "a detached breakwater, of piles," "a floating breakwater," and so forth; all experimental, unpromising, very costly, and therefore not to be entertained.

Perhaps a system of groins, as adopted on similar coasts in England, might serve to arrest and collect the shifting sand and mud at the points marked on the plan.

At all events, the experiment to the extent of a few thousand pounds might be tried, in the hope of superseding the present necessity of a costly and never-ending outlay upon the existing breakwater.

At the same time it must be borne in mind, that the sea is likewise encroaching upon the estate adjoining the east boundary of the Ordnance lands, and if this estate should be abandoned, as the other estates in the neighbourhood have been from the same cause, the Ordnance would have to construct a dam on that side also, to secure their property from inundation.

The sums already expended upon the breakwater since 1849, and upon the sea wall of Fort William Frederick, and the dam since 1844, are as follows, viz.

	£.	s.	d.
Granite for breakwater, as per Appendix (A.)	50,591	7	9
Annual and special estimates for sea wall, Fort William Frederick, as per Appendix (B.)	15,309	–	4
Annual and special estimates for dam, Appendix (C.)	5,277	5	3
TOTAL £.	71,178	1	4½

The contract for the supply of granite having expired, and no fresh contract having yet been entered into, and moreover as the sea wall appears to be now secure from further danger, at all events for some time, I have suspended the prosecution of the breakwater for the present, reserving to the resident Royal Engineer the resumption of the work, should a sudden incursion of the sea render it imperative.

(signed) *C. Wright*, Lieutenant-Colonel,
and Commanding Royal Engineer, W. I.

Appendix (A.)

STATEMENT showing the Expenditure for Granite, paid by the Commissariat Department at *Demerara*, for Service of the Royal Engineer Department, between August 1849 and December 1853.

YEARS.	AMOUNT.			REMARKS.
	£.	s.	d.	
1849	3,415	7	2	
1850	18,965	4	7	
1851	13,350	19	10	
1852	10,616	10	10	
1853	4,243	5	4	
£.	50,591	7	9	

(signed) *C. W.*

Appendix (B.)

STATEMENT showing the Expenditure on the Sea Wall, Fort William Frederick, between 1844 and 1853.

YEARS.	AMOUNT. £.	s.	d.	REMARKS.
1844	366	18	2½	Ordnance Annual Estimates.
1846	773	4	11¾	
1847	6,002	8	8¾	
1848	3,156	1	5	
1849	2,219	5	7	
1850	813	2	11	
1851	525	18	7½	
1852	420	14	4	
1853	143	–	7	
1853	888	5	–	Special Estimate.
£.	15,309	–	4½	

(signed) *C. W.*

Appendix (C.)

STATEMENT showing the Expenditure on Sea Dam, between 1844 and 1853.

YEARS.	AMOUNT. £.	s.	d.	REMARKS.
1844	289	2	–¼	Ordnance Annual Estimate.
1845	272	16	6¼	Ditto - - - ditto.
1846	965	10	1¾	Special Estimate.
1847	139	14	11½	Ordnance Annual Estimate.
1848	189	16	3½	Ditto - - - ditto.
1848	2,306	16	–	Special Estimate.
1849	170	8	11	Ordnance Annual Estimate.
1853	347	12	7¾	Ditto - - - ditto.
1853	595	7	9	Special Estimate.
£.	5,277	5	3	

(signed) *C. W.*

— No. 9. —

COPY of a LETTER from *J. Wood*, Esq., to *T. F. Elliot*, Esq.

No. 9.
J. Wood, Esq., to T. F. Elliot, Esq.
22 May 1854.

Office of Ordnance, 22 May, 1854.

WITH reference to my letter, dated 15th instant, E/890, on the subject of the maintenance of the sea wall, &c., at Fort William Frederick, Demerara, I have the honour, by command of the Board of Ordnance, to forward to you, for the information and consideration of the Duke of Newcastle, the following further correspondence on this subject.

3.

1. The copy of a report, dated 27th February last, from the respective officers of the Ordnance at Demerara, reporting damage to the sea dam and fort wall, and special grants for the repairs, amounting respectively to 600*l.* and 888*l.* 5*s.* sterling.

2. The enclosures of the above report in original.

The Board request you will state to his Grace that, as the barrack and stores at Demerara are in the possession of Her Majesty's Government, and as the repairs ordered by the Lieutenant.-general Commanding appear to have been absolutely necessary, the Board of Ordnance consider they should be authorise d

I have, &c.
(signed) *J. Wood.*

— No. 10. —

No. 10.
Colonel Mundy to J. Wood, Esq.
12 June 1854.

COPY of a LETTER from Colonel *Mundy* to *J. Wood*, Esq.

Sir, Downing-street, 12 June 1854.

I HAVE received and laid before the Duke of Newcastle your letters dated respectively the 15th and 22d ultimo, the former transmitting reports and correspondence relative to the condition of the sea wall and sea dam at Georgetown, Demerara, the present state of Fort William Frederick and of the barracks at Kingston; the latter copies of other correspondence (of an anterior date) in reference to two grants of 600 *l.*, and 888 *l.* 5 *s.* (included in the statements of expenditure, Appendices A. G. B., enclosed in the letter of the 15th instant), made by the Lieutenant-general Commanding, for repairs of the sea dam and sea wall in 1853; and I am directed to state in reply that his Grace concurs with the Board of Ordnance in considering that those grants should be authorised. His Grace likewise concurs in the opinion of the Inspector-general of Fortifications, as expressed in his report on these papers, that the heavy annually recurring outlay on the sea barriers, and the very large sums required for putting the fort and the barracks into a proper state of repair, suggest the expediency of all these works being forthwith abandoned; and I am to enclose, for the information of the Lieutenant-general and Board, a copy of the despatch which his Grace has written to Governor Wodehouse on the subject.

Military, No. 2.
12 June 1854.

I have, &c.
(signed) *G. Mundy.*

— No. 11. —

No. 11.
Duke of Newcastle to Governor Wodehouse.
12 June 1854.

(No. 2.)

COPY of a DESPATCH from the Duke of *Newcastle* to Governor *Wodehouse.*

Sir, Downing-street, 12 June 1854.

1. IN pursuance of directions conveyed to the Board of Ordnance last year, I have been furnished with reports on the present state of the sea wall at Georgetown, Demerara, accompanied by an account of the sums which have been expended on its maintenance since 1844, together with a report on the condition of Fort William Frederick and the barracks at Kingston.

2. From these reports and returns, it appears that the large sum of 71,178 *l*, 1 *s.* 4½ *d.* has been expended on the sea barrier during the last 10 years; that the work is not even yet complete, and that its eventual success is "at best but problematical."

3. On the barracks the sum expended during the same period has been 36,036 *l.* 17 *s.* 0 ½ *d.*, notwithstanding which, they are reported to be, for the most part, in a state of decay, and generally past repair.

4. Fort William Frederick is, if possible, in a worse condition. The wooden platforms on which the guns are mounted are represented to be in such a state of decay as to render the working of the guns a service of danger, and the fort itself to be utterly valueless for the only purpose for which it was designed, as a protection, namely, to the entrance of the harbour.

5. I find

5. I find that, in a despatch dated 12 February 1850, Sir H. Barkly was informed by Lord Grey that it was entirely out of his Lordship's power to recommend to the Lords of the Treasury to sanction an application to Parliament for any further grants for the maintenance of the sea dam at Fort William Frederick, and that if the Town Council and Combined Court should persist in declining to provide for that work, he would have no alternative but to withdraw the Queen's troops, since he could not anticipate that Parliament would be prepared to continue to make grants for an expense of a character so strictly local; and, on the other hand, Her Majesty's troops could not be retained in the barrack they occupy, if it should be rendered unsafe or unhealthy by the neglect of the dam, which had been constructed for its protection.

6. Sir H. Barkly having, in reply, intimated the refusal of the Combined Court to make the required provision for this purpose, Lord Grey, in a despatch dated 17th May 1851, repeated his previous admonition on the subject.

7. The reports now before me show that, notwithstanding the intention thus expressed, no less a sum than 17,736*l.* 10*s.* 3*d.* has, since the date of the correspondence to which I have referred, been expended from the Imperial Treasury on the barracks, and 2,924*l.* 18*s.* 10*d.* on the dam and sea wall; and the Inspector-general of Fortifications has stated his opinion that, adverting to the heavy annual outlay which is required for the maintenance of these works, they ought all (the forts inclusive) to be abandoned.

8. In this opinion, I have intimated to the Board of Ordnance my concurrence; and it can scarcely be matter of surprise to the Colonial Legislature, after the timely warnings it has received, that, even apart from the considerations which have dictated Sir J. Burgoyne's recommendations, and on the ground alone of the refusal of the Combined Court to sustain any portion of the burthen, I should have felt it my duty to take this course.

9. It must now rest with the Court of Policy and Combined Court to consider, in concert with the Ordnance officers on the spot, the steps which it may be requisite and advisable to take consequent on the decision thus adopted by Her Majesty's Government; always bearing in mind that the inevitable result of no satisfactory arrangement being concluded must be the withdrawal of the troops.

I have, &c.
(signed) *Newcastle.*

— No. 12. —

(No. 67.)

No. 12.
Governor Wodehouse to the Right Hon. Sir G. Grey, Bart.
9 Sept. 1854.

EXTRACT of a DESPATCH from Governor *Wodehouse* to the Right Honourable Sir *G. Grey*, Bart; dated Government House, Georgetown, 9 Sept. 1854.
(Received, 4 October 1854.)

"I HAVE had the honour of receiving the Duke of Newcastle's military despatch No. 2, of the 12th June last, intimating that Her Majesty's Government were no longer prepared to sanction any expenditure for the maintenance of the fort and sea wall, by which this town is protected from the incursions of the sea, or for the repair and preservation of the barracks and other military buildings; and that, therefore, if the Colonial Legislature were not prepared to take upon themselves the burthen of these works, it would be necessary for Her Majesty's Government to withdraw the garrison altogether.

"These instructions were of so great importance in every point of view, and the pecuniary charge which it was proposed to transfer to the colonial revenue, was of so serious and permanent a character, that I conceived it to be beyond the province of the Governor and the Court of Policy alone to determine the course of action which should be taken by the colony, and that before any reply was made to his Grace's despatch, the Combined Court should have an opportunity of declaring whether they would be willing to provide the funds required.

"Under ordinary circumstances the matter would, with this view, have remained in abeyance until the next annual session of the Combined Court, to be held in the early part of the year 1855. But it was reported that the sea wall was, in some parts, in a dangerous condition, and that large breaches might possibly be made in it before the close of the year. I therefore decided at once upon taking the unusual step of convening an extraordinary Session of the Combined Court, for the sole purpose of laying before them the proposals of Her Majesty's Government.

" The Court having therefore met on Monday last, the 4th instant, when all the members but one were present, I addressed to them the speech herewith enclosed. They immediately adjourned until the 6th instant; and in the interval the elective members held long discussions, but, as I was informed, without being able to arrive at anything approaching to a definite agreement upon the course to be taken.

" The debate was opened on the 6th, by Mr. R. Smith, one of the elective members of the Court of Policy, who, seconded by Mr. Peter Rose, moved a series of resolutions pledging the colony to decline altogether to contribute any part of the expense, either of the wall or of the military buildings. As an amendment upon them, two other resolutions were moved by Mr. J. L. Smith, Solicitor-general, one of the Financial Representatives, and seconded by Mr. G. J. Luckie, an elective member of the Court of Policy, expressing the readiness of the Court to keep up the sea wall, as well as their hope that the cost of the barracks and other military buildings might continue to be borne by Great Britain. In the course of the debate upon these very opposite proposals, it was intimated by Mr. J. E. Roney, one of the elective members of the Court of Policy, that in the event of the amendment being negatived, it was the intention of Mr. A. Macrae, a Financial Representative, to move, as a second amendment of an intermediate character, a series of resolutions which he then read, and in support of which he expected that the votes of a considerable number of the members would be given.

" On the votes being taken upon Mr. J. L. Smith's resolutions, it was found that the numbers were equal, there being seven against, and seven in favour of them; and as there was no doubt of an opportunity being afforded in the course of the discussion on Mr. Macrae's resolutions, for an attempt to induce the Court to take a course which was likely to be viewed without dissatisfaction by Her Majesty's Government, I judged it right to abstain from voting, and Mr. J. L. Smith's amendment was therefore lost.

" It had, however, been made apparent that a considerable majority of the Court were in favour of undertaking the maintenance of the sea wall, and that they differed chiefly as to the precise mode in which their reluctance to take up the charge of the military buildings was to be brought under the notice of Her Majesty's Government. I therefore took upon myself to point out this circumstance to the Court, and to advise them strongly so to word their resolution, as to prove that they were actuated by a sincere desire to act in a conciliatory and respectful spirit. This advice was well received, and the mover of the last resolutions, Mr. Macrae, requested the adjournment of the Court for an hour, in order that the elective members might be enabled to deliberate upon modifications of his resolutions, which had been suggested.

" On their re-assembling, Mr. Macrae obtained permission to withdraw his original resolutions, and to substitute three others; which, on being put to the vote, were carried by a majority of twelve to two; the minority consisting of Mr. Peter Rose, and Mr. R. Smith. An understanding having been then arrived at, that in the event of any special injury being done to the wall, pending the decision of Her Majesty's Government, and failing any adequate means at the disposal of the engineer department, the Governor and Court of Policy might take the necessary steps for the preservation of the adjoining property; the Session was closed.

" It will be seen from these proceedings that the Combined Court have now undertaken to provide the funds required for the maintenance of the sea wall and fort, that is, for all the external defences, in the earnest hope that Her Majesty's Government will be pleased so far to reconsider the orders given, as to extend to the colony the benefits of the proposals made by Earl Grey, in 1850 and 1851 (and then most unwisely rejected by the Legislature), under which the barracks and other buildings were to remain on the Parliamentary Estimates. Indeed if I had only had access to the Duke of Newcastle's despatch to myself on the subject, and had not seen some of the correspondence with the Ordnance Department, I should undoubtedly, though perhaps very erroneously, have inferred that his Grace was not desirous of imposing upon the colony more onerous terms than these offered by Earl Grey."

Enclosure

Enclosure 1, in No. 12.

Honourable Gentlemen of the Court of Policy,
Gentlemen Financial Representatives,

I HAVE found it my duty to request your attendance at an extraordinary Session of your Honourable Court, in consequence of my having received from the Secretary of State for the Colonies a despatch conveying the intelligence that Her Majesty's Government can no longer undertake to provide the funds required for the maintenance of our military works and buildings, including the wall by which the Fort, the Barracks, Kingston, and the city of Georgetown, are protected from the incursions of the sea; and that consequently, if it should be determined to maintain these works, the funds necessary must be provided out of the colonial revenues.

Had this despatch from the Duke of Newcastle (founded, as it is in a great degree, upon previous despatches from Earl Grey) been the only document from which the intentions of Her Majesty's Government could be gathered, I should have inferred that they would have been prepared to continue the provision of funds for the repair of the barracks and other buildings, on condition of the colony undertaking the preservation of the sea defences. But the respective officers of the Ordnance serving here have received corresponding instructions; and from the tenor of the communication made to them, it is impossible to doubt that Her Majesty's Government now propose to limit the payments from the Imperial revenues to the sums required for the pay and support of the troops.

Under ordinary circumstances it would have been convenient to have deferred bringing this matter under your consideration until your next annual Session; but the present state of the sea wall is such, that unless measures be speedily taken for its preservation, much valuable property will be endangered, and the cost of its repair at a future period, if determined upon, will be greatly augmented.

The responsibility, therefore, now devolves upon your Honourable Court of deciding whether you will for the future provide the sums required for these services, or whether, after the abandonment of the wall and all the military buildings, the colonial resources are to be applied to the attempt at erecting an entirely new, and perhaps equally costly, barrier for the protection of the colonial and private property which, without it, would be swept away.

I feel certain that you will give the subject that mature consideration which its importance, in a political as well as a financial point of view, imperatively demands. I say political, inasmuch as Her Majesty's Government have announced, that unless the wall and buildings be so maintained as to ensure the safety and health of the troops which constitute the garrison, it will be their duty to withdraw them.

Four points now present themselves distinctly for your determination:—

1. Whether you will for the future provide funds for the maintenance of the sea wall and the military buildings.

2. Whether you will provide for the sea wall alone, and solicit Her Majesty's Government to place the cost of the military buildings on the Parliamentary Estimates as heretofore.

3. Whether you will decline to make provision for any of those services; and instead appropriate the colonial revenues for the erection of a new dam within the site of the military property.

4. Whether, in the event of your adopting the second alternative, you will authorise any immediate outlay for the protection of the wall, pending the decision of the Home Government.

The information which I have lately been enabled to gather upon the subject, may assist you in arriving at a sound conclusion upon a question of such vital importance.

From a report which has been furnished me, I find that the expenditure upon the sea wall since the beginning of 1850, has amounted to no less than 54,483*l.*; but an impression very generally, and probably with reason, prevails, that the outlay for the operations carried on under the authority of the Ordnance Department has been excessive.

This impression is confirmed by a report and estimate recently prepared at my request by the civil engineer, which I now lay before you for your consideration; and from which you will gather that the utmost cost of securing the present line of defence is estimated at 38,000 dollars for the first year (from which may be deducted 10,000 dollars by the employment of convicts) at 5,000 for the next year, and at 3,000 per annum thereafter.

It has been suggested in certain quarters, as a means of effecting an immediate saving of expense, that all the military land and buildings should be abandoned, and the line of defence withdrawn to the limit of the colonial and private properties. Your experience in such matters will enable you to form some opinion as to the certainty with which we may assume that any better stand can be made at the point indicated than at the present sea wall. Certain it is, that, whether successful or not, such a plan would involve the loss of all the military buildings, and the withdrawal of the garrison. If it were unsuccessful, that loss would be purely gratuitous.

The sums voted and expended, or in course of being expended, upon the military buildings (exclusive of the wall), during the last five years, amount to 24,010*l.*, and the

Duke of Newcastle appears to have been influenced in the issue of his present instructions mainly by two considerations; one, the heavy annual outlay which had been required, and of which he evidently feared the continuance; the other, the absolute refusal of the colony, in 1851, to bear any part whatever of the expense of its own protection.

I cannot undertake to state how far, at the time of writing this despatch, his Grace was aware of the distinction between the Kingston Barrack and the Eve Leary Barracks, with the other buildings in their immediate neighbourhood. The former is undoubtedly in a very dilapidated condition, but a vote has been granted for its thorough repair, and the work will be executed this year. The other military buildings I can state, both from the reports of the proper officers and from personal inspection, to be in all essential respects in an excellent state of perservation. Indeed, it is to the extensive operations carried on for their improvement for some years, that the heavy expense which has alarmed the Secretary of State is to be attributed. And I have little doubt of my being able to satisfy Her Majesty's Government that the cost of keeping up these buildings for some years to come could be greatly reduced. If you should be desirous of any further information which it may be in my power to obtain upon this branch of the subject, it will be readily furnished.

We have seen that the withdrawal of the troops from many of the neighbouring colonies, has been already effected; and I would ask you therefore carefully and patiently to consider whether, if you decline to take up the services now proposed to be transferred to you, you can devise any other more economical and effective mode of action which will compensate the colony for the loss of a body of men for whose support you contribute nothing, whose presence in some degree promotes the trade of the place, and who are at all times available for the protection of your lives and properties.

If the troops should be withdrawn, our local means of defence must be materially augmented (for internal as well as for external purposes); and that object can be attained only by embodying the militia, or by increasing the police force. And the former would probably be found with all the inconvenience and expense which must attend it, to be the better course.

To attempt any serious augmentation of the police force, and then to look to that force alone for security, would, in my judgment, be a very hazardous proceeding. Without adducing other arguments in support of this view, it will be sufficient to draw your attention to the heavy charge already incurred for its support, to the constant and energetic supervision which, even on its present scale, it imperatively demands, and to the difficulty experienced in obtaining a sufficient number of men of intelligence and respectability to fill its ranks.

I have for some time been looking anxiously into the present condition and the future prospects of this colony, and I know full well, that even under the most favourable circumstances, we must before very long find it a matter of much difficulty to meet our public liabilities. It is true that we have, this year, been blessed with a most favourable season, and have, up to this time, been mercifully spared from the visitation of disease; but the most cursory observer must perceive that any serious interruption of our present state of prosperity, added to the financial difficulties to which I have alluded, would, in a very short time, bring about a state of affairs in which the absence of a regular military force would be productive of great calamities.

I know there are those who look upon the troops as altogether useless. In time of quiet the benefits we derive from their presence may be mainly negative; in time of trouble their absence would be severely felt; and you will do well at any rate to consider how far the mercantile and planting transactions of the colony may be affected by the feeling of uneasiness and insecurity to which the withdrawal of the troops may give rise in the minds of capitalists, more particularly of those non-resident, and having large interests at stake.

I will not trespass further upon your attention, and will, in conclusion, assure you of my readiness to give every support to any resolution at which you may arrive calculated to ensure the safety and welfare of the colony.

(signed) *P. E. Wodehouse.*

Encl. 2, in No. 12.

Enclosure 2, in No. 12.

Honourable R. Smith moves the following Resolutions, and with leave of the Court the eighth Standing Order of the Court being suspended, they were brought on at once for discussion; seconded by Honourable P. Rose.

F. I.

1st. That, considering the great, although as yet partially developed resources of British Guiana, its large extent of territory in proportion to population, which, although pregnant with future advantages to the mother country, entails, in the mean time, a heavier expense on the local government than if its inhabitants were confined to narrower limits. Considering also the greatly increased grants for religious, educational, and charitable purposes, which have been rendered necessary by the change in the social condition of the mass of its population, and that large sums are annually required to be spent, on the introduction of labourers, to supply the place of those who have seceded from the staple productions of the colony—this Court is respectfully of opinion that it is justified in claiming from the home Government a continuance of that gratuitous military protection to the colony which it has hitherto received.

2d. That

2d. That the proposition submitted to the Court by his Excellency the Governor, based on the despatch from the Secretary of State for the Colonies (as explained by the Ordnance officers) will virtually deprive the colony of that protection, inasmuch as the conditions thereto anexed will entail an expense greater than the means of the colony are equal to encounter.

3d. That it must be borne in mind those means are greatly reduced by the recent increase of the sugar duties, which as yet, on account of the slowness with which price accommodates itself to such alterations, is paid entirely by the producers of that article, the main support of the colony; while at all times the colonists suffer from the effects of the protective duties which, in defiance of the free trade principles of the British Government, are still allowed to the refiners of the United Kingdom.

4th. That this Court, for the foregoing considerations, respectfully requests of Her Majesty's Government a reconsideration of its decision, as expressed in the despatch of the Colonial Minister, as should the same terms be still adhered to, reluctant as the colonists will be to see the troops withdrawn, they must accept that alternative, and fall back for the defences of the town against the sea to other and less expensive barriers than that of the sea wall, rather than undertake an expense in keeping up the latter, along with the fort and barracks, which they see no means of meeting.

Enclosure 3, in No. 12.

Encl. 3, in No. 12.

The Vice-President of the Financial Representatives moves the following amendment; seconded by the Honourable G. J. Luckie.

F. I.

Resolved 1st. That considering it is necessary that there should be a sea wall for the protection of Georgetown, and that it will be more advisable to continue the present sea dam than to build a new one, this Court agrees to provide the necessary funds for keeping up the present sea dam, and consequently authorises his Excellency the Governor and the Court of Policy, to make any outlay that may in their judgment be absolutely required before the next ordinary annual Session of the Combined Court, for the purpose of maintaining the existing sea defences, beyond the funds already provided by Parliament for this purpose, such further outlay to be under the sole direction and control of the Governor and Court of Policy.

2d. That this Court, however, cannot but hope, that when the matter again comes under their consideration, it will be in the power of the Governor to inform them, that Her Majesty's Government have been pleased to revert to the terms offered by Earl Grey in 1851, when it was proposed that the colony should bear the expenses of the external sea defences alone, and that the barracks and other buildings should remain in the charge of the Ordnance Department.

Question upon the amendment:

First Resolution:

Yea.	Nay.
Messrs. J. L. Smith.	Messrs. Macrae.
Luckie.	King.
Jones.	Whitney.
Government Secretary.	Henry.
Administrator-General.	R. Smith.
Attorney-General.	Roney.
Chief Justice.	Rose.

Votes being equal, the amendment is lost.

Second Resolution:

Yea.	Nay.
Messrs. J. L. Smith.	Messrs. Macrae.
Luckie.	King.
Jones.	Whitney.
Government Secretary.	Henry.
Administrator-General.	R. Smith.
Attorney-General.	Roney.
Chief Justice.	Rose.

Votes being equal, the amendment lost.

The Financial Representative Mr. Macrae, moves the following as an amendment, seconded by the Honourable John Jones.

F. I.

Encl. 4, in No. 12.

Enclosure 4, in No. 12.

Resolved 1st. That this Court cannot recognise the claim now made on the colony by Her Majesty's Government, by which it is required that the whole expense of keeping in repair the military buildings, and of maintaining the sea wall and front dam by which they are protected, should in future be defrayed out of the colonial revenues, and this Court must respectfully but firmly refuse to entertain, or to sanction the claim as it now stands.

2d. That this Court, however, taking into consideration the fact that the sea wall and dam in front of the military buildings, does to a certain extent serve for the protection of a portion of the city of Georgetown from the encroachment of the sea, and that greater security will be effected by repairing and protecting the present sea dam, than by constructing a new one, this Court will at its first ordinary Session, place at the disposal of his Excellency the Governor and the Honourable the Court of Policy, a sum of money which the Court may ascertain to be sufficient to keep up an adequate sea wall or dam for the protection of the military buildings, if Her Majesty's Government agrees to the following propositions:

1. That military protection shall be continued as heretofore by Her Majesty Government, to this colony.

2. That the Government shall continue to defray the cost of keeping the military buildings in repair.

3. That should it hereafter be found necessary to abandon the present line of sea dam and wall, and to make a new dam to the southward of the line of Camp House, the colony shall be at full liberty to do so, and in such event, to use the whole or such portion of the land lying between the river and the line of road to the eastward of the military barracks, being a continuation of the line of Camp-street as may be required for the erection of a new sea dam.

4. That the colony shall carry on the work that may be required for the purposes aforesaid, under the direction and superintendence of its own officers exclusively.

As, however, it may be necessary to take some immediate steps in order to protect the sea dam, this Court now recommends his Excellency the Governor at once to grant such convict labour to the officers of Her Majesty's Ordnance as can be usefully employed in doing the urgent needful repairs to the said dam and wall, until the first regular meeting of the Combined Court.

Finally, this Court offer these propositions to Her Majesty's Government, with a sincere desire to meet the claims made on the colony, as far as it is possible for them so to do, with reference to the present unprecedented financial difficulties of the colony, and they trust that they will be met by a similar spirit of conciliation to that in which they are respectfully offered.

At the suggestion of the honourable mover, his Excellency adjourned the Court for an hour, to enable the elective members to deliberate on some further suggestions which had been offered in the course of the debate.

Encl. 5, in No. 12.

Enclosure 5, in No. 12.

The Court having resumed, the Financial Representative Mr. Macrae requests permission to withdraw the amendment which he had previously moved.

Leave granted accordingly. The Financial Representative Mr. Macrae, then moves the following resolutions as an amendment upon the motion of the Honourable R. Smith; seconded by Honourable John Jones.

F. I.

That this Court most respectfully, and actuated only by a sincere desire to discharge its duty to the colony, declines, on this occasion, to pledge themselves to provide the funds required for all the services proposed to be transferred to them.

2dly. That this Court, however, taking into consideration the fact that the sea wall and dam in front of the military buildings does, to a certain extent, serve for the protection of a portion of the city of Georgetown from the encroachment of the sea, and that greater security will be effected by repairing and protecting the present sea dam than by constructting a new one, this Court will at its next ordinary Session be prepared to make due provision, if it should then appear that Her Majesty's Government are disposed to accede to the following proposals, which they believe will be in accordance with the despatch of Earl Grey, laid before this Court in its Session of 1851.

1. That military protection shall be continued as heretofore, by Her Majesty's Government, to this colony.

2. That the Government shall continue to defray the cost of keeping the military buildings in repair.

3. That

3. That should it hereafter be found necessary to abandon the present line of sea dam and wall, and to make a new dam to the southward of the line of Camp House, the colony shall be at full liberty to do so, and in such event to use the whole or such portion of the land lying between the river and the line of road to the eastward of the military barracks, being a continuation of the line of Camp-street, as may be required for the erection of a new sea dam.

4. That the colony shall carry on the work that may be required for the purposes aforesaid under the direction and superintendence of its own officers exclusively.

Finally. This Court offer these propositions to Her Majesty's Government, with a sincere desire to meet the claims made on the colony, as far as it is possible for them so to do, with reference to the present unprecedented financial difficulties of the colony, and they trust that they will be met by a similar spirit of conciliation to that in which they are respectfully offered.

Question on the amendment.

Yea.	Nay.
Messrs. Macrae.	Messrs. R. Smith.
King.	Rose.
Whitney.	
Henry.	
J. L. Smith.	
Luckie.	
Roney.	
Jones.	
Government Secretary.	
Administrator-General.	
Attorney-General.	
Chief Justice.	

Amendment is carried. Original Motion put and negatived.

His Excellency the Governor asks whether, as the Court has adopted the Resolution, which he would support as far as lies in his power, the Court would be disposed to sanction the Governor and Court of Policy taking steps to remedy any special damage which may occur to the dam in the interval before the answer of Her Majesty's Government can be received.

The Financial Representative A. Macrae, expresses his opinion that the majority of the Court would be disposed to sanction any moderate outlay which might be found necessary under such circumstances as those alluded to by the Governor.

Honourable J. E. Roney expresses a hope that under the circumstances the respective officers at Barbados may feel themselves at iberty to do what may be necessary for the preservation of the Ordnance property in this colony; if not, he, as a member of the legislature, would be prepared to incur any expense absolutely required, provided that such expenditure be not construed to imply a taking over of the dam pending the decision of the home Government.

Honourable R. Smith objected to establishing any precedent for remedying local damage at the expense of the general revenue.

His Excellency the Governor then declared this extraordinary Session of the Combined Court to be closed. The Court then adjourned to resume the minute.

(signed)	*P. E. Wodehouse.*	*Robert Smith.*
	William Arinndell.	*Geo. Jno. Luckie.*
	Robt. R. Craig.	*J. Lucie Smith.*
	John Daly.	*Edmund T. Henry.*
	John Jones.	*Fras. W. Whitney.*
	Peter Rose.	*John H. King.*
	James E. Roney.	*A. Macrae.*

(True copies.)
(signed) *W. Walker*, Secretary.

— No. 13. —

(No. 2.)

No. 13.
The Duke of Newcastle to Governor Wodehouse.
27 Oct. 1854.

COPY of a DESPATCH from his Grace the Duke of *Newcastle* to Governor *Wodehouse*.

Sir, Downing-street, 27 October 1854.

I HAVE to acknowledge the receipt of your despatch, No. 67, of the 9th September, with its enclosures, comprising a report of the proceedings which had been adopted at a special Session of the Combined Court on the subject of the maintenance of the sea wall at Georgetown.

 I have

I have to acquaint you, in answer, that the inference you had drawn from the Duke of Newcastle's despatch of the 12th June was correct; namely, that Her Majesty's Government, while they deemed it inexpedient, for the reasons therein assigned, to incur any further expenditure on account of the barracks at Kingston and Fort William Frederick, did not seek to transfer that expenditure to the colony, but felt it their duty to urge upon the Colonial Legislature the propriety of henceforth keeping in repair, at its own charge, the sea wall constructed mainly for the protection of Georgetown, the expense connected with which appeared to have been hitherto defrayed from Imperial funds for no other reason than because the security of the barracks at Kingston and of the fort was dependent on the maintenance of the sea wall. Her Majesty's Government resolved, therefore, that the troops should be withdrawn from a locality where their health, and even safety, were endangered by the omission of the Legislature to make provision for a service of so purely local a character.

It is satisfactory to me to find that the Combined Court have at length yielded to the representations of Her Majesty's Government on this subject.

The suggestions contained in your despatch, which have for their object the concentration of the troops in Eve Leary Barracks, and other reductions of the colonial military expenditure, will be taken into consideration, and a decision on them communicated to you hereafter.

I have, &c.
(signed) *Newcastle.*

— No. 14. —

No. 14.
Governor Wodehouse to Sir G. Grey, Bart.
22 Jan. 1855.

(No. 13.)

COPY of a DESPATCH from Governor *Wodehouse* to the Right Honourable Sir *George Grey*, Bart.

Government House, Georgetown,
22 January 1855.

Sir, (Received, 19 February 1855.)

IT becomes my duty again to address you on the subject of the sea wall and dam which protect this town and fort from the incursions of the sea.

2. It had been my hope upon the receipt of your military despatch, No. 2, of the 27th October last, conveying your approval of the terms proposed by the Colonial Legislature, to have been enabled to postpone all works (except those of a very temporary character) for the maintenance of these defences, until after the annual ordinary Session of the Combined Court, at which I expected that they would sanction the scheme prepared by the Civil Engineer, and likewise provide the necessary funds. But at the commencement of this month, I received both from the Ordnance officers and from the Civil Engineer such pressing representations (of which I enclose copies) of the immediate jeopardy in which the wall and the property protected by it had been placed by the increased action of the sea, as to satisfy me that we could no longer delay to undertake systematic operations of considerable magnitude, and therefore, in compliance with a resolution to that effect, passed by a majority of the Court of Policy, I determined to convene a special Session of the Combined Court, with the view of obtaining their sanction to the necessary outlay.

1.
2.
3.

3. The Court met on the 19th instant, when I delivered to them the enclosed address, and submitted the report and estimate of the Civil Engineer. They requested an adjournment until the next day, at which time they entered upon the discussion of the subject. Early in the debate Mr. Buie, the Vice-President of the Financial Representatives, referring to the letter addressed to the Government Secretary by the officers of the Ordnance Department on the 10th instant, observed that the Court was in doubt whether the land required by the Civil Engineer would be given over at once by the military authorities, and he requested me to inform the Court in what position the question stood as to that point. I stated in reply that I was prepared, in the event of the Court being pleased to make a satisfactory arrangement, to take upon myself the responsibility of ordering the officers of the Ordnance Department to give over so much land as might be represented by the Civil Engineer to be immediately required; and I explained to them the circumstances under which this order would have to be given, to which I shall presently have to beg your attention.

4.
5.

4. Satisfied

4. Satisfied with this assurance, they resumed the debate, and ultimately passed a series of resolutions, of which the only one of material importance is that which authorizes the Executive Government at once to commence the works. 6.

5. You will perceive from the correspondence with the officers of the Ordnance Department, herewith enclosed, that they do not appear to have received from the Board of Ordnance any instructions for their guidance, written subsequently to the transmission by you to the War Department of my despatch, No. 67, of the 9th September last; and that consequently, in their letter to the Government Secretary, of the 17th instant, they have expressed their inability to give over to the colony the land required for engineering purposes, without further reference to England. 7. 8.

6. Seeing, therefore, that you have assented to the proposals of the colony; that the Ordnance officers have themselves represented the danger to which the works are exposed; that they are positively prohibited from incurring any expenditure for their preservation; and that they have been left without instructions, in conformity with your decision, probably in consequence of the severe pressure of business at home; I have thought it right, under all these circumstances, to take upon myself to order the immediate transfer to the colony of so much land as is imperatively required, and to leave for the decision of Her Majesty's Government the question of the ultimate transfer of the additional quantity which the Civil Engineer represents to be desirable. In doing this I have cautiously abstained from any interference with any military building, and have taken care to keep the officer in command of the troops acquainted with my views.

7. A copy of the letter to the Ordnance officers is enclosed, as well as a plan, showing by a blue line the land now ordered to be given over, and by a red one the whole space to be ultimately transferred; and I trust that my conduct in the transaction will meet with your approval. 9.

I have, &c.
(signed) *P. E. Wodehouse.*

Enclosure 1, in No. 14.

Encl. 1, in No. 14.

Sir, 11 January 1855.

I HAVE the honour to report, for the information of his Excellency the Governor, that for a week past the surf has been extremely high upon the Ordnance dam and fort wall, and has done a very great amount of damage. More injury has been done in this short space of time than during all the previous six months.

I estimate that between 5,000 and 10,000 tons of loose stone have been washed into deep water from the face and front of the sea dam, leaving us almost nothing wherewith to protect the dam, which we have hitherto been enlarging with convict labour, as a temporary defence. The value of this stone, at the rates paid by the Town Council, will be about $ 20,000; besides the labour of delivering it at the required site. Although it is now neap tides, we are, on account of the very high surf, unable to do almost anything; very large breaches were made by the spring-tides last week, which for the same reason we are unable to repair at present with mere labour and earth.

It becomes, therefore, of the greatest importance that breakwaters be immediately constructed, on the plans suggested in my report to his Excellency of the 17th August 1854. I should now propose, however, that the breakwaters in front of Camp House be extended to a distance of at least 300 or 400 feet, from the line of the dam, as I suggested to his Excellency in a note of later date. A more extended breastwork will now be required. There are several large breaches in the planking and stone work of the fort wall, which six months ago had every appearance of standing for many years.

Nearly 300 feet of this wall require to be totally renewed in front; but the mode which has hitherto been adopted is very imperfect; and if renewed, the whole, instead of being filled up with loose rubble, grouted only at the top, should be carefully laid in Portland cement, with good foundation, and considerable batter or slope, backed up, it may be, with loose stone. A quantity of Portland cement should be imported by the colony, to be ready when needed.

A breastwork of piles and fascines, filled in with loose stones, may however answer the purpose for some years.

A large additional quantity of stone will now be required from the penal settlement, and as the timber is not yet ready for the construction of breakwaters, it is advisable that a portion of the timber be purchased at once, and the construction of breakwaters and breastworks commenced. Three or more gangs of workmen, under experienced pile-drivers, should

should be employed immediately, until the timber and convicts can be brought down from the penal settlement.

As difficulties continually arise with regard to the earth for the enlarging of the dam (without which, even with breakwaters, it is impossible to keep out the sea), it is very desirable that the whole line of dam, &c., and a sufficient width of land inside the dam, be at once taken over formally by the colony from the Ordnance Department.

The difficulties from the greater depth of water, and the expense having so much increased in so short a space of time, I would most respectfully urge upon his Excellency the necessity of immediate measures being adopted.

I find that the prisoners work well, and generally cheerfully; for this I am more especially indebted to the judicious system of task-work adopted by Mr. Warren, the superintendent, and to the zeal and energy of Dixon, the head guard.

I have &c.,
(signed) *John Fredk. Bourne,*
Civil Engineer and Overseer of Public Works.

The Honourable W. Walker,
Government Secretary.

Encl. 2, in No. 14.

Enclosure 2, in No. 14.

Sir, Office of Ordnance, Demerara, 10 January 1855.

With reference to your letter of the 6th of October last, in which you stated that his Excellency the Governor was prepared to provide for the repair of the then existing breaches in the sea wall to the north of Kingston, and between Fort William Frederick and the engineers' quarters, by the employment of a party of convict labourers.

We consider it now our duty to request that you will call the serious attention of his Excellency to the present state of the wall (particularly that at the fort), in order that a more permanent system may at once be adopted, as at the present time the Ordnance depôt (Camp House), and adjacent property are placed in great jeopardy, and also to inform him that we do not feel authorized to allow any more earth to be taken from the Ordnance property until we are furnished by the Colonial Civil Engineer with the necessary plans, &c. of the ground which he wishes given over to him for his future proceedings, which will be submitted to England for the consideration of the Master-general and the honourable Board of Ordnance. When we consented to allow earth to be dug, it was under the impression that a more systematic plan would have been carried out, instead of which the convicts have been permitted to dig here and there, and the consequence now is, that there are regular swamps to the eastward of Camp House and Fort William Frederick, which it is much feared will be very detrimental to health when the dry season sets in. We hear that it is in contemplation to dig trenches to obviate this evil, but we are of opinion that they will not have the desired effect, as they will share the same fate as those in the western portion of the Ordnance property, which are being gradually choked up by the mud washed into them by each successive tide, and which, if efficient measures are not immediately taken, will eventually be the means of destroying the drainage of the garrison.

We have, &c.
(signed) *H. R. Luard,*
Lieut. and Resident R. E.
R. A. F. Walker,
Ordnance Storekeeper.

The Hon. William Walker,
Government Secretary, British Guiana.

Encl. 3, in No. 14.

Enclosure 3, in No. 14.

Minutes of the Proceedings of the Honourable the Court of Policy of the Colony of British Guiana, at its Adjourned Assembly, held at the Guiana Public Buildings, Georgetown, Demerara,

Saturday, 13 January 1855.

(After Prayers.)

The Court having been made special for the purpose of taking into consideration the communication from the respective officers of Ordnance and Colonial Civil Engineer, relative to the present exposed state of the sea wall, protecting the fort, garrison, and suburb of Kingston, those communications were again read; also a letter from R. J. Kelly, Esq., representative of plantations Thomas and Kitty, enclosing a sketch of the actual state of the dams of those estates, and of the measures it may be necessary to take in consequence of the encroachments of the sea.

Honourable J. E. Roney moves the following resolution:

F. I.

That considering that the works stated to be necessary for the strengthening and protection of the present fort and sea wall of Georgetown will involve a considerable outlay of the

the public money, this Court cannot take upon itself the responsibility of sanctioning their immediate commencement; but, viewing the extreme urgency of the matter, this Court would respectfully recommend his Excellency the Governor forthwith to convene a special Session of the Combined Court, with the view of submitting for the immediate consideration of that body the measures it may be expedient to adopt under the circumstances stated.

Seconded by Hon. R. Smith.

Yea.	Nay.
Messrs. Smith.	Messrs. Porter.
Roney,	Luckie,
	Jones.
	Government Secretary.
	Attorney-General.
	Administrator-General.
	Chief Justice.

Motion lost.

Honourable Mr. Porter moves as follows:

F. I.

That his Excellency the Governor be requested to call a special meeting of the Combined Court as speedily as possible, with the view of deciding on the best means to be adopted for the keeping up of the fort dam, and that in the meantime his Excellency the Governor be authorised to adopt such measures as he may consider indispensable for the preservation of the dam.

Seconded by the Honourable John Jones.

Yea.	Nay.
Messrs. Porter.	Messrs. Luckie.
Smith.	Chief Justice.
Jones.	
Roney.	
Government Secretary.	
Administrator-General.	
Attorney-General.	

Motion carried.

Honourable Mr. Smith moves, as follows:

F. I.

That this colony having come under engagement with Her Majesty's Government to keep up the present sea wall in front of the fort and barracks; that it having become obvious that additional works, in the form of breakwaters and others, are necessary there for the protection of the town, and more particularly of that portion of it called Kingston, this Court respectfully requests his Excellency the Governor to communicate with the Town Council of Georgetown, with the view of making the following overtures to them, viz.:—

That provided they are willing to pay half the expense of the necessary works at the sea wall, this Court will recommend the Combined Court, at its next Session, to vote the other half out of the colonial revenues, it being understood that the Government Civil Engineer will give his services, in superintending the said works, free of expense to the town.

Seconded by Honourable Thomas Porter.

Yea.	Nay.
Messrs. Porter.	Messrs. Luckie.
Smith.	Attorney-General.
Roney.	Chief Justice.
Jones.	
Government Secretary.	

Motion carried.

(True copy.)

(signed) *W. Walker*, Secretary.

Encl. 4, in No. 14.

Enclosure 4, in No. 14.

Honourable Gentlemen of the Court of Policy,
Gentlemen Financial Representatives,

In compliance with a request to that effect contained in a resolution passed by a majority of the members of the Court of Policy, I have requested your attendance here this day for the purpose of submitting to you a report prepared by the Civil Engineer, representing the urgent necessity for the immediate commencement of systematic operations for the preservation of the sea wall of Georgetown, a work which, at your last special Session, you determined to undertake in the event of Her Majesty's Government acceding to certain proposals then made. Their assent has been given by the despatch of which I now lay a copy before you.

I have not lost sight of the fact, that at your last Session you proposed to defer the further consideration of this matter until your annual Session for 1855, at which time you contemplated making the necessary provision. Neither have I forgotten that you then authorised me, on the occurrence of any special emergency, to take steps for the immediate preservation of the town; and, therefore, under ordinary circumstances, I should not have thought myself warranted in calling you together until the accounts for the past year had been closed, and the estimates for the current one prepared for your consideration and approval in ordinary session. You will, however, gather from the report submitted to you, that any further postponement of systematic operations will be attended with great expense and, perhaps, considerable risk; and that works ought at once to be commenced of a more important character than I should have been justified in undertaking upon the special authority which you were pleased to confide to me.

A letter from the Mayor and Town Council of Georgetown is also submitted for your consideration, containing their reply to a resolution passed by the Court of Policy, to the effect that the town ought to bear one-half of the expense to be incurred for the preservation of the wall and dam.

I have, therefore, to invite your most serious attention to all these papers, and to request you will state whether you are desirous of seeing the necessary works undertaken at once, in anticipation of the provision for them which it will be in your power to make at your ordinary session.

And I beg to assure you that that session will be convened as soon as I am enabled to provide you with the information necessary to enable you to deal satisfactorily with the many important questions to which your attention must then be given.

(signed) *P. E. Wodehouse.*

Enclosure 5, in No. 14.

Ordnance Sea Dam and Fort Wall, Kingston.

Report of the Colonial Civil Engineer.

15 January 1855.

For an account of the state of these works on the 17th August 1854, I beg respectfully to refer to my report of that date.

A short time after sending in that report very high spring tides occurred, and though the sea was comparatively smooth, several of the piles immediately to the westward of Camp House were undermined and fell outward, into the position in which they remain at present.

The low-water of the same springs laid bare, for the first time for six months, an extensive clay bank in front of Camp House. On this bank there is generally, at low water of spring tides, a depth of three feet; nearer to and within 50 feet of the dam, the depth of water is five feet at low-water of spring tides.

On the 7th October, there having been several breaches made in the dam by the surf, the gaol gang was employed in repairing them, by building up the loose stone wall and backing it up with earth.

Since that date the gang, averaging in number 33 hands, has been constantly employed in repairing breaches as they occurred, and in strengthening the dam where it appeared to be weak and likely to give way. Large breaches have twice occurred in the dam in the immediate proximity of the fort wall. Three others have been made near Camp House, and three or four to the eastward of Camp House, all these have had immediate attention so as to prevent any loss and inconvenience to the inhabitants of Kingston. Of the piling in front of Camp House several portions have at intervals been undermined and have fallen outward; although it was evident that the wash and undermining of the dam were going on much more rapidly than could have been reasonably anticipated, yet there appeared to be no cause of alarm so extraordinay as to render it necessary for the Government to act upon the special authority confided to it by the Combined Court at its last Session.

The gaol gang having been kept regularly at work, the dam itself is much higher and stronger than it was when they began, and the new work has been temporarily protected by a covering

a covering of stones and such materials as were ready at hand; a great portion of the trench in the rear of the dam has been filled up. Encl. 5, in No. 14.

On the 11th instant, in consequence of the serious damage which was occasioned by the tides of the past week, I felt it my duty to call the attention of his Excellency the Governor to the subject, in a letter of that date to the Government Secretary, to which I beg leave most respectfully to refer. I am informed that there has not been such a sea running on this part of the coast for the last 26 years.

Since the springs, on account of the heavy surf, even at neap tides, it was only on Saturday last, or after the neaps, that we were able to get an ordinary day's work done in the repair of the breaches which were made by the spring tides.

The washing away of the loose stone, and the undermining of the fort wall, however, are of much more importance than the mere breaches in the dam, and it is imperatively necessary that measures be adopted instantly to prevent their continuance.

For this purpose, I beg respectfully to urge that groynes and breakwaters, of the description given in my report of the 17th August, be immediately constructed. I would now venture to suggest, however, that the breakwater in front of Camp House be run out to sea, to the extent of 300 feet or 400 feet, so as to take good hold of the flat which was first visible soon after I sent in my report.

To do this it will be necessary to dam up the channel of an old creek or shipping trench, which runs between the flat and the shore, at a distance of 50 feet from the dam, and along which a strong current flows both with ebb and flood tides.

The old dam is also so much weakened, at a point nearly midway between Camp House and the engineer's quarters, that it is necessary to run out there a good double breakwater or groyne; and the loose stones having been washed away recently from the front of the dam, a far greater extent of breastwork will be required than was at first contemplated; it will now be needed along nearly the whole line of dam, and along one side of the fort wall also, and eventually, perhaps, along both sides.

The fort wall having given way for upwards of 300 feet in length, I propose to secure it by driving three or four rows of piles at a distance of four feet apart, with a gradual slope to seaward, filling in with the loose stones that may be found on the spot, and with brushwood and fascines, and levelling off the promenade at top, with cement, as before.

The breastwork of the dam, generally, I propose to make of the description given in my report of 17 August, *i. e.* with piles four feet apart, braces, and fascines; but of greater width than at first contemplated.

The breakwaters to low-water mark, also of the same description, viz., those commonly called, in England, "groynes;" and in the same positions as pointed out in said report. The breakwaters in deep water to be also as those described, viz., floating "cribs" or "cradles," to be sunk with stone in the required positions; that at Camp House to be at least 300 feet long, the others of less length.

The expense of all these works must necessarily be now much enhanced by the greater depth of water in the immediate proximity of the dam, and the consequent greater heaviness of the surf in rough weather. It must be remembered, also, that, on the same account, it is not possible for the men to work for so great a length of time each day as if the surf were not so heavy.

Occasionally not more than three hours a day can be secured as effective working time in front of the dam. If convicts be compelled to labour at these works, they could, during the rest of the day, be employed in bringing up materials, and in other works within the dam, which, if hired labour be used, would have to be done by separate gangs of men.

I would most strongly advise that a retreat within the present line of dam be not contemplated for a moment.

The wash and undermining of the present sea defences are so great that they could not possibly stand long to act as a breakwater and defence to the new dam.

The present dam is well consolidated, and defended in such a way, that to defend a new dam in like manner, even without breakwaters, would cost as much as the carrying out of the plans now proposed.

A new dam would be of loose earth, and on a bad foundation; and I will venture to say that in a year's time it would give as much trouble, and cause as much expense as the present. The only possible advantage that could accrue would be, that in case of a deposit forming outside, so great an expense need not at present be incurred as is now contemplated. Whether the giving up so much land, and such firmly consolidated defences, with the prospect of as great an outlay at no very distant period, be sufficiently compensated by so remote a contingency as the possibility of a deposit of mud, without the assistance of groynes to encourage it, I leave to his Excellency, and the honourable Combined Court, to determine.

A letter from R. J. Kelly, Esq., attorney of Messrs. Cavan, Brothers & Co., with reference to the wash now taking place at plantations Thomas and Kitty having been referred to me by his Excellency, I beg to report thereon, that I think it of the greatest importance to the Kingston defences that measures be adopted, in concurrence with him, for protecting the present line of dam in front of those estates. His breakwater near the engineer's quarters should be renewed with good and sufficient materials, and extended to low-water mark, or to a length of 300 or 400 feet, and an additional groyne of the same length should be run out at the point of land still further to the eastward.

It will be observed that the present estimate is very much higher than that which I submitted to the last special Session of the Combined Court. The reason is obvious:

instead of 230 feet of crib or cradle breakwaters, I now propose to erect 600 feet, one-half of this being for that in front of Camp House; instead of 345 feet of groynes, a great portion of it single, or with slope on one side only, I now propose to construct 800 feet of double groynes, with slope on both sides; instead of 1,300 feet of breastwork, to protect the lower part or foundation of the dam, I now propose to build 3,000 feet, the whole much wider, and extending to a greater distance up the slope of the dam.

I stated, too, that I had no means of ascertaining the probable cost of fascines. I have since found that, chiefly on account of their bulk and the expense of freight, it would be almost impossible to obtain them in sufficient quantities at any moderate price; and that though hardwood poles are a more expensive material, yet that they are more readily obtained, much more durable, and will cost, for the surface to be covered, but little more than my estimate for fascines.

The item for labour will of course be most materially reduced by the employment of convicts.

My estimate, including $30,000 per annum for labour alone, amounts to the sum of $130,000 (one hundred and thirty thousand dollars). As it is not probable that the whole work can be done this year, a credit in the hands of the Governor of $70,000 will no doubt be found sufficient for 1855, provided that convict labour be employed.

(signed) *John Fred. Bourne,*
Civil Engineer and Overseer of Public Works.

ESTIMATE.

	$
1. Timber, viz.: Greenheart, Suradanni, Kakaralli, and other good hardwood for piles; Crabwood, Baradanni, and other good light wood for floating breakwaters, and transportation - - -	31,000
2. Crabwood or W. P. plank, hardwood poles, G. H. or mora plank, and tacuba or hardwood braces - - - - - -	17,000
3. Iron work of all kinds - - - - - - - -	15,000
4. Stone from penal settlement - - - - - - -	15,000
5. Gunny bags, say - - - - - - - - -	2,000
6. Labour and superintendence - - - - - - -	37,000
7. Contingencies, including monkey-frames, tools, blocks and tackle, moorings, cement, lumber for worksheds, hire of steamer to tow out cribs and punts of stone, &c., &c., &c. - - - -	13,000
$	130,000

(signed) *John Fred. Bourne,*
Civil Engineer and Overseer of Public Works.

15 January 1855.

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18 January 1855.

THE land required for the works at the fort wall and Ordnance sea dam, will be all that lying between the sea and the dotted blue line on the accompanying plan.

This line includes the landing pier or south wall of the fort, from Water-street; it then runs parallel with the fort wall, 150 feet distant therefrom; thence along Water-street to the entrance of the fort; thence along the road leading from the fort to Camp House avenue; thence from the junction of the Fort-road and Camp House avenue, in a straight line towards the gate leading from the engineer's quarters to the hospital yard, but stopping at the trench which is the western boundary of the hospital yard; then down the said trench to the road leading from Camp House to the engineer's quarters; then along the said road to the entrance to the bell yard; then at a right angle to the northward, to a point 55 feet distant from the inner face of the sea dam; thence in a line parallel with the sea dam, and 55 feet distant from it, to the boundary line of the property at Camp-street.

(signed) *John Fred. Bourne,*
Civil Engineer and Overseer of Public Works.

Enclosure

Enclosure 6, in No. 14.

MINUTES of the Proceedings of the Honourable the Court of Policy of the Colony of British Guiana, Combined with the Financial Representatives of the Inhabitants of the said Colony, at its Extraordinary Assembly, held at the Guiana Public Buildings, Georgetown, Demerara.

Friday, 19 January 1855.

His Excellency the Governor delivers the following address to the Court:

F. I.

See page 24.

THE Vice-President of the Financial Representatives, William Buie, Esquire, requests his Excellency to adjourn the Court till 12 o'clock to-morrow, and to direct that the members may be furnished with a copy of his Excellency's speech, and of the documents and plans therein referred to.

The secretary delivered the papers in question to the Vice-President of the Financial Representatives, and his Excellency declared the Court adjourned to to-morrow at 12 o'clock.

(True copy.)
(signed) *W. Walker*, Secretary.

MINUTES of the Proceedings of the Honourable the Court of Policy of the Colony of British Guiana, combined with the Financial Representatives of the Inhabitants of the said Colony, at its Adjourned Assembly, held at the Guiana Public Buildings, Georgetown, Demerara.

Saturday, 20 January 1855.

THE Minute of the Court's proceedings on the 19th instant, resumed, and signed.

The Vice-President of the Financial Representatives, William Buie, Esquire, reads the reply of the elective section of the Court to his Excellency's speech, at the opening of the present extraordinary Session.

F. I.

To His Excellency *Philip Edmund Wodehouse*, Esquire, Governor and Commander-in-Chief, in and over the Colony of British Guiana, &c., &c., &c.

Sir,

WE the undersigned, elective members of the Court of Policy and Financial Representatives of the inhabitants of the colony, in Combined Court assembled, beg to thank your Excellency for the speech with which you opened this present extraordinary Session.

We are unanimously of opinion that no time should be lost in undertaking the necessary works for the protection of the garrison and city; and we are quite prepared to enter at once upon the consideration of this question, leaving the financial part of the matter, including the proposal of the Mayor and Town Council of Georgetown, to be decided on at our next ordinary annual Session.

(signed)	*John Jones.*	*Wm. Buie*, V.P., F.R.
	James E. Roney.	*Frans. W. Whitney*, F.R.
	Robert Smith.	*John H. King*, F.R.
	Geo. Jno. Luckie.	*A. Mackrae*, F.R.
	Thos. Porter, Jun.	*J. Lucie Smith*, F.R.

Financial Hall, 20 January 1855.

The Vice-President of the Financial Representatives states that some members of the Court have doubts, arising out of a communication from the respective Ordnance officers, whether Her Majesty's Government will give over the land necessary for constructing the works contemplated for defence of the sea wall.

His Excellency the Governor replies that, should the Court make the necessary provision for the works in question, he is quite prepared to give the necessary order for taking possession of the land.

Honourable R. Smith thereupon moves the subjoined Resolutions, and suggests that they should be taken separately.

Seconded by Honourable John Jones.

F. I.

Resolved,—1st. That, in consideration of his Excellency the Governor having been pleased to inform the Court that Her Majesty's Government have acceded to the proposals made to them at its extraordinary Session of 6th September last, and on condition that the Board of Ordnance grants to the colony the use of the piece of land asked for by the Colonial Civil Engineer, as shown on the diagram prepared by him, this Court now respectfully requests that his Excellency will direct the Civil Engineer to take the necessary steps for repairing and protecting the present sea dam in front of the fort and barracks, by breakwaters or otherwise, as he may see most expedient; and this Court pledges itself, at its ordinary Session next ensuing, to provide the necessary funds, reserving to itself, however, the right to apportion the expense of the said works between the general revenue of the colony and the town funds at the disposal of the Town Council, in such proportions as may, after arrangement with the said Town Council, be agreed upon at its next session.

2d. That should it be the opinion of the Civil Engineer that the objects sought to be accomplished can be facilitated by co-operation with the proprietors of plantation Thomas, or the attorney, he is hereby authorized so to do, to the extent of running out two breakwaters at right angles from the present dam of that estate, provided half the expense of the said breakwaters is paid by the proprietors of the "Thomas."

3d. It being desirable that all the works to be contracted under these Resolutions should be under the personal superintendence of the Civil Engineer, and that as little beyond the purchase of materials should be done by contract as is possible, this Court respectfully recommends his Excellency the Governor, and the honourable the Court of Policy, to amend Ordinance No. 20 of 1854, in so far as may be necessary, in order to exempt all the operations for the defence of the sea wall from the enactments of the said Ordinance.

Moved by Honourable G. J. Luckie, as an amendment.

F. I.

Resolved, That referring to the minute of this Court of 6th September last, and considering that Her Majesty's Government have approved thereof, this Court now respectfully requests that his Excellency will direct the Colonial Engineer to take the necessary steps for repairing and protecting the present sea dam by breakwaters or otherwise, as he may deem most efficient. And this Court pledges itself, at its ordinary Session next ensuing, to make due provision for the required outlay.

Not seconded.

The Financial Representative Alexander Macrae, proposes a resolution, suggesting the appointment of a committee of the Combined Court to advise the Civil Engineer, in case of need, in regard to tenders, and the execution of the work, and a question arose as to whether it should be taken as a substantive motion, or as an amendment to the original motion. After some discussion, it was settled that the resolution should be put as a substantive resolution, or rider to the original resolution.

Honourable J. E. Roney moves the following amendment to the original resolution:

F. I.

RESOLUTIONS.

1st. That the Honourable Robert Smith, the Honourable Thomas Porter, jun., Alexander Macrae, Esq., and John Haliburton King, Esq., be appointed a committee of this Court for the purpose of deciding, in concert with the Colonial Engineer, upon the best and most feasible plan of adequately protecting and securing the fort wall and sea dam of Georgetown, with full power and authority to carry into immediate operation, under the direction of the Colonial Engineer, such plan as may be finally adopted, either by them, or a majority of them, or by any two of their number, in conjunction with the Colonial Engineer.

2d. That this Court hereby engages to place upon the annual estimate a sum sufficient to defray, during the present year, the expense of such works as may be undertaken, in terms of the preceding resolution.

Seconded by the Financial Representative F. W. Whitney.

Yea.	Nay.
Messrs. Whitney.	Messrs. J. L. Smith.
Roney.	Macrae.
	King.
	Buie.
	Porter.
	Luckie.
	R. Smith.
	Jones.
	Government Secretary.
	Administrator-General.
	Attorney-General.
	Chief Justice.

Amendment lost.

Question,

Question on the first original resolution:

Yea.	Nay.
Messrs. J. L. Smith.	Messrs. Whitney.
Macrae.	Luckie.
King.	Roney.
Buie.	
Porter.	
R. Smith.	
Jones.	
Government Secretary.	
Attorney-General.	
Chief Justice.	

Resolution carried.

Alexander Macrae, Financial Representative, then moves the resolution which had been submitted as above.

Seconded by the vice president F. R. William Buie.

F. I.

That in order to assist his Excellency the Governor in carrying into immediate operation the imperative measures necessary to be pursued for the preservation of the sea wall and sea dam, protecting the garrison and the city from the encroachment of the sea, the following members of this Court be now appointed a committee for the special purpose: Honourable James Edward Roney, Honourable Robert Smith, Honourable Thomas Porter, F. W. Whitney, John H. King, Alexander Macrae, any three of whom to form a quorum; and that this committee shall be associated with the Civil Engineer and Overseer of Public Works, on all needful occasions, for his advice and assistance.

Yea.	Nay.
Messrs. Macrae.	Messrs. J. L. Smith.
King.	Luckie.
Whitney.	R. Smith.
Buie.	Jones.
Porter.	Government Secretary.
	Administrator-General.
	Attorney-General.
	Chief Justice.

Honourable J. E. Roney declines to vote.

Resolution lost.

Second original resolution moved by Honourable R. Smith; seconded by Honourable J. Jones.

Moved by his Honour the Chief Justice, as an amendment, seconded by Honourable Mr. Porter, That from the word "provided" to the word "by," be expunged, and the following substituted: "Upon such terms as may be agreed upon between his Excellency the Governor and the Court of Policy, and"

Question upon the amendment:

Yea.	Nay.
Messrs. J. L. Smith.	Messrs. Macrae.
Porter.	King.
Luckie.	Whitney.
Jones.	Buie.
Government Secretary.	R. Smith.
Administrator-General.	Roney.
Chief Justice.	Attorney-General.

The division being equal, amendment lost.

Question upon the original resolution:

Yea.	Nay.
Messrs. Buie.	Messrs. J. L. Smith.
R. Smith.	Macrae.
Jones.	King.
Government Secretary.	Whitney.
Administrator-General.	Porter.
	Luckie.
	Roney.
	Attorney-General.
	Chief Justice.

Motion lost.

Third original resolution moved by Honourable R. Smith, seconded by Honourable J. Jones.

Court divided:

Yea.	Nay.
Messrs. J. L. Smith.	Messrs. King.
Macrea.	Whitney.
Porter.	Buie.
R. Smith.	Luckie.
Jones.	Roney.
Government Secretary.	
Administrator-General.	
Attorney-General	
Chief Justice.	

Hon. Mr. Porter moves as follows.

F. I.

That this Court is of opinion that the Civil Engineer should be empowered to run out the necessary breakwaters in such positions as he may consider best calculated to protect colonial property, and that in the event of the land on which it may be proposed to erect such breakwaters belonging to any private parties, his Excellency the Governor shall be required to make such conditions regarding the proportion of expense to be borne by the proprietors of such land, as he may consider most advantageous to the interests of the colony.

Not seconded.

Honourable Mr. Smith moves, Honourable Mr. Porter seconds.

F. I.

That this Court, in consideration that it may be advisable for the Civil Engineer to co-operate with the proprietors of Plantation Thomas in carrying on the works necessary for the protection of the sea wall, respectfully requests that his Excellency the Governor will instruct the Civil Engineer to place himself in communication with the proprietors or attorney of Plantation Thomas, with the view of ascertaining what proportion of the expense of such works, as may from the position, be protective to Plantation Thomas, as well as to the Government land, will be borne by the proprietor of the said estate.

Court divided:

Yea.	Nay.
Messrs. Buie.	Messrs. Macrae.
Porter.	King.
R. Smith.	Whitney.
Jones.	Luckie.
Government Secretary.	Roney.
Chief Justice.	Attorney-General.

J. L. Smith, F. R., declines to vote.

Votes being equal, motion lost.

There being no further business to transact, his Exellency declared this special Session of the Combined Court to be closed.

The minute was then brought up as usual, and signed.

(signed)	*P. E. Wodehoue.*	*George John Luckie.*
	William Arrindell.	*Thomas Porter*, Jun.
	Robert R. Craig.	*William Buie.*
	J. Daly.	*Francis W. Whitney.*
	John Jones.	*John H. King.*
	James E. Roney.	*A. Macrae.*
	Robert Smith.	*J. Lucie Smith.*

Encl. 7, in No. 14.

Enclosure 7, in No. 14.

(No. 44.)

Gentlemen, G. S. O. 15 January 1855.

Having laid before the Governor, your letter of the 10th instant, I am directed to acquaint you, that his Excellency has received from the Civil Engineer a similar representation of the dangerous state of the sea wall, and of the necessity for the immediate commencement of systematic operations for its preservation.

It has therefore been determined that a special Session of the Combined Court shall be held on Friday next, at which it is the Governor's intention to submit to them, the report, plan,

plan, and estimate of the Civil Engineer, in order to obtain if possible, their assent to the immediate commencement of the works. It will then be in the power of his Excellency, to make you acquainted with the extent and position of the land which will have to be transferred to the colony, for the purpose of maintaining the sea wall, and he conceives that if the Combined Court be prepared to undertake the work, the transfer must be made at once, and without the delay of further reference to England.

You have yourself called the Governor's serious attention to its present insecure state, in order that a more permanent system may at once be adopted. And it is not very clear to his Excellency for what reason, further previous reference should be made. There is no longer any pretence of keeping up the fort or any other part of the work for purposes of military defence.

If the Government have stipulated that the barracks and other buildings occupied by the troops shall be kept in a healthy and safe state, and provided that stipulation be faithfully acted upon, he has no doubt of their assent being given to the transfer of the land required.

I am also to add, that the Civil Engineer has been directed to take such steps as may be absolutely necessary for the preservation of the wall, in the short interval which must elapse before any decision can be arrived at by the Civil Engineer, and his Excellency does not apprehend that you will during that time, think it your duty to endanger the military buildings and the town, by preventing the Civil Engineer from digging what is required.

I have &c.

To the respective Officers of Her Majesty's Ordnance, Georgetown. (signed) *A. F. Gore*, A. A. G. S.

Enclosure 8, in No. 14.

Encl. 8, in No. 14.

Sir, Office of Ordnance, Demerara, 17 January 1855.

We do ourselves the honour to acknowledge the receipt of a communication from Acting Government Secretary Gore, in reply to our letter addressed to you on the 10th instant, relative to the insecure state of the sea wall and dam.

With reference to the third paragraph of that communication, in which it is stated, that "his Excellency conceives, that if the Combined Court be prepared to undertake the work, the transfer must be made at once, and without a further reference to England." We beg respectfully to state for the information of his Excellency, that whatever steps the Combined Court may determine ought to be taken, and whatever opinion they may arrive at, as to the quantity of land that they will require to be transferred to the colony by the Board of Ordnance, we cannot give over more than the present line of the sea wall, viz. that between Fort William Frederick and the Royal Engineers' quarters, without such a reference to that Board, and we shall object to any further encroachment on the Ordnance property being made by digging mud (with the exception of the trench work now being carried on), until the question is finally settled, three months having now elapsed, and no report or plan of the Colonial Civil Engineer's projects of his future proceedings having been forwarded to us.

We are not aware that it is the intention of Her Majesty's Government to abandon the fort entirely, as a work of military defence, no notification of the kind having officially reached us.

In the fourth paragraph it is stated, "Her Majesty's Government have stipulated that the barracks and other buildings occupied by the troops shall be kept in a healthy and safe state, and provided that stipulation be faithfully acted upon, the Governor has no doubt of their assent to the transfer of the land required." We cannot come to the same conclusion as his Excellency on such a point, not knowing in what way it may affect the Ordnance establishment (Camp House and out-buildings). It would, perhaps, be necessary to remove it, and then arises the question as to the most favourable site for its re-erection, and at whose expense.

His Excellency having alluded to the fort as a fit place for it, we beg to state that we have very great objections to such an arrangement; in addition to which it has been differently appropriated within the last year.

We have, &c.

The Hon. W. Walker, Government Secretary. (signed) *H. R. Luard*, Lieut. and Resident R. E.

R. T. Walker, Ordnance Storekeeper.

Enclosure 9, in No. 14.

Encl. 9, in No. 14.

Gentlemen, Government Secretary's Office, 21 Jan. 1855.

I have received and laid before the Governor your letter of the 17th instant, to which his Excellency judged it proper to defer making any answer until he had an opportunity of ascertaining the sentiments of the Colonial Legislature in respect to the immediate commencement of the works required for the permanent protection of Kingston and Georgetown from the sea.

And as the Combined Court have now authorised the Governor to proceed with those works, I am to convey to you the following observations and instructions.

In June 1854 the Secretary of State transmitted to his Excellency a despatch, stating that Her Majesty's Government would no longer incur any expense for the maintenance of the sea wall, and that Sir John Burgoyne had given his opinion, that from considerations of expense all the works (the fort inclusive) should be abandoned. You were furnished with a copy of this despatch, and were likewise commanded to abstain from incurring any further expenditure on account of these defences.

The Colonial Legislature then submitted to Her Majesty's Government the terms upon which they would undertake the maintenance of the works; and the task of preserving them temporarily from immediate destruction, thereupon, with your assent, devolved upon the Colonial Government.

Her Majesty's Government have since intimated to his Excellency their satisfaction with the proposals made by the colony, and have referred his despatches on the subject to the Board of Ordnance for consideration.

But the Governor is under the impression that (probably from the pressure of other business on the department) you have received no corresponding instructions; and it was under such circumstances that his Excellency received from you and from the Civil Engineer those representations of the immediate danger in which the wall, and the property protected by it had been placed, which compelled him to summon a special Session of the Combined Court.

His Excellency has therefore carefully considered the course which he ought to pursue at this juncture. It is clear—

1st. That the Home Government are satisfied with the proposals of the colony.

2d. That you have yourselves stated the place to be in immediate jeopardy.

3d. That you are positively prohibited from incurring any expense for its preservation; and,

Lastly. That, owing to the omission on the part of the Ordnance authorities at home to convey to you the necessary directions, you are without formal authority to make over to the colony any military property.

The Governor, therefore, feels that it would be a great dereliction of duty on his part were he to imperil the town and military property by suspending operations until further reference has been made to England; but he is at the same time prepared to relieve you of the responsibility of voluntarily abandoning the military property, by conveying to you, as I am now directed to do, his order to place the colony in immediate possession of so much, and so much only, of the land as is absolutely required for the immediate operations of the Civil Engineer; leaving the decision as to the transfer of the additional quantity which may be ultimately required, for the disposal of the home authorities. And in order that you may be distinctly aware of the course proposed to be taken, I am to transmit two plans, on one of which is shown, by a blue ink line, the land required at once, and on the other, by a red ink line, that which the Civil Engineer is of opinion should be ultimately given over.

You will perceive that there is no intention of disturbing for the present the military occupation of any buildings.

In conclusion, I am to request that you will be good enough, in conformity with Her Majesty's Regulations, to apprise the Governor of any communication which you may think it necessary to make to the Board of Ordnance on this matter, so that his Excellency's opinion may be given in conjunction with your own.

I have, &c.

The respective Officers of the Ordnance. (signed) *W. Walker*, Government Secretary.

P.S.—A copy of the Civil Engineer's Report is herewith transmitted for your information.

— No. 15. —

No. 15.
F. Peel, Esq., MP., to J. Wood, Esq.
15 March 1855.

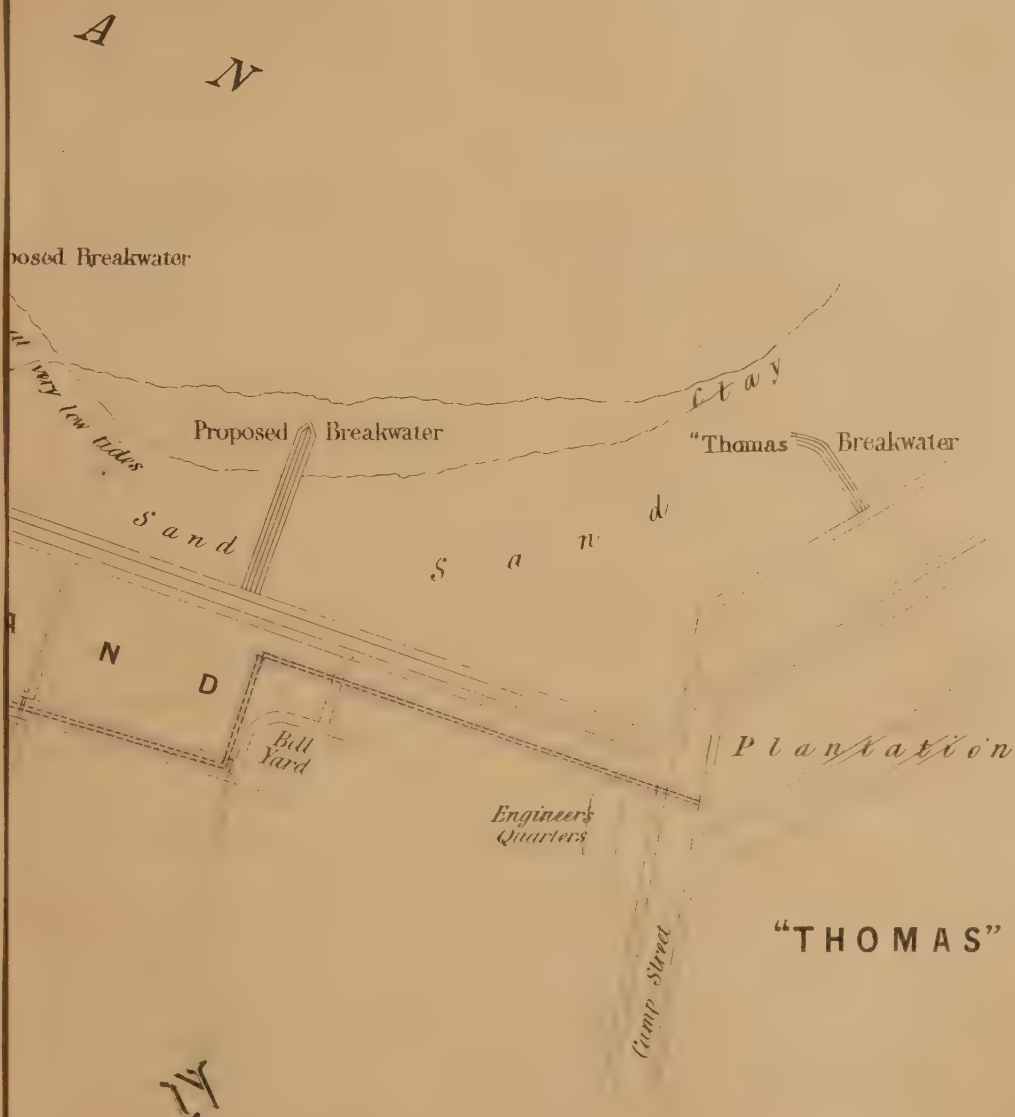
COPY of a LETTER from *F. Peel*, Esq., M.P., to *J. Wood*, Esq.

Sir War Department, 15 March 1855.

I AM directed by Lord Panmure to transmit to you the accompanying copy of a Despatch from the Governor of British Guiana, dated 22d January, with the correspondence which it encloses with the officers of the Ordnance Department in that colony; and I am to request that in laying the same before the Board of Ordnance, you will signify to them his Lordship's wish to be informed whether they are aware of any sufficient reason why the lands referred to as being required with a view to the execution of the works proposed for the preservation of the sea wall and sea dam protecting the garrison and the city of Georgetown

No. 13, 22 Jan.

Enclosure 10 in N°14. [To face Page 32.]



DIAGRAM

Shewing that Portion of the Ordnance Land which will be required by the Civil Government for the Construction of Dams & Breakwaters.

The blue dotted line bounds the portion which is immediately required.
The red dosed line bounds that which will be required eventually.

January 1855. *John Fred.k Bourne* *Colonial Civil Engineer*

N° 471. Ordered, by The House of Commons, to be Printed, 8th August 1855.
Henry Hansard, Printer

Georgetown from the encroachment of the sea, should not be given up to the colony as desired. I am to add, that in the event of there being no such reason, it is his Lordship's desire that the requisite authority for this purpose should be conveyed by the Board to the respective officers.

I have, &c.

(signed) *F. Peel.*

— No. 16. —

(No. 22.)

No. 16.
Governor Wodehouse to the Right Hon. Sir G. Grey, Bart.
23 Feb. 1855.

EXTRACT of a DESPATCH from Governor *Wodehouse* to the Right Honourable Sir *G. Grey*, Bart.; dated Government House, Georgetown, 23 Feb. 1855.

"I AM constrained by recent unfortunate occurrences again to address you on the subject of the sea wall and military buildings at this place; and while reporting, with the hope of your approval, the steps already taken by me to solicit at the hands of Her Majesty's Government the immediate issue of such instructions as will best, in their opinion, put an end to the uncertainty and confusion in which our military affairs are at present involved.

* * * * *

"On the afternoon of the 17th instant the sea rose during spring tides to a height and with a violence unknown for nearly fifty years, and in the course of a few hours swept away nearly the whole of the upper part of the embankment, and inundated the military land and the adjoining suburb of Kingston. This continued for the next two days, during which little could be done towards repairing damages or preventing further destruction of property; but the tides have since fallen, and it is to be hoped that the works in progress will prevent the water during the next springs from again forcing its way into the barracks or the town.

"The building known as Camp House, occupied as an Ordnance store and quarter, and the removal of which I have already recommended, was at once surrounded with water to the depth of four or five feet, and rendered very unsafe. I therefore informed the Ordnance officers, that as I was aware of their being without funds, I would, if they considered it advisable to remove the buildings, give them the necessary assistance, and after further correspondence (in which I distinctly intimated that if they were in a position to take the necessary steps, I had not the slightest wish to interfere), I gave them orders to take them down. In so doing I acted upon what I hope you will consider a proper construction of the 2d Article of the 2d Section of the Colonial Rules and Regulations respecting military works and buildings. The materials are exceedingly good, and I thought it would be a great dereliction of duty on my part if I were to allow Her Majesty's property to be swept into the sea, through fear of the responsibility of taking upon myself to extricate the Ordnance officers from the embarrassing position in which they were placed. If they could have preserved the property without my help, it was their duty to have done so.

"A contract has therefore been entered into for the removal and safe storage of the materials at the cost of 500*l.*, and I at first intended to have issued my warrant to the Commissariat officer according to the rule laid down in the Colonial Regulations; but having since seen the late Regulations of the Lords of the Treasury for the guidance of the Commissariat, at page 190, I have judged it right to leave it to the officer commanding the troops to authorise the payment of the draft to be drawn by the Ordnance Storekeeper. From the nature of the service, I cannot furnish a regular estimate, as is required by the Regulations; but I enclose a copy of a memorandum drawn up by the officer of the Royal Engineers, upon which the contract has been based.

"In connexion with this part of the subject I will add, that in consequence of its being found impracticable to include the military hospital within the temporary embankment in course of construction (at least in the first instance), I have offered the same assistance for its removal if necessary; but I have great hopes that we shall be able to save it. In the mean time, however, the patients have been removed from it to the Colonial Seaman's Hospital, a very good building, close to the barracks, which I have placed at the disposal of the officer commanding, at whose request I have also hired temporary accommodation for the married soldiers and their families. The enclosed copies of letters will show that the military authorities are satisfied."

DEMERARA.

COPIES or EXTRACTS of CORRESPONDENCE between the Secretary-at-War, the Secretary for the Colonies, and the Governor of *British Guiana*, concerning the Maintenance and Repair of the SEA WALL protecting the Barracks at *Georgetown, Demerara*.

(*Colonel Wynn.*)

Ordered, by The House of Commons, *to be Printed,*
8 *August* 1855.

[*Price* 9*d.*]

471.

Under 8 *oz.*

251

SIERRA LEONE.

PAPERS

RELATIVE TO THE

PREVENTION OF SLAVE DEALING

AT

SIERRA LEONE.

(*In continuation of Papers presented August* 12, 1853.)

Presented to both Houses of Parliament by Command of Her Majesty,
August 1855.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1855.

1995

SCHEDULE.

SIERRA LEONE.

DESPATCHES FROM THE GOVERNOR.

Governor Kennedy

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2	July 18, 1853 (154)	Reporting the Result of the Trial at the late Quarter Sessions of certain parties implicated in Slave Dealing Cases, and reporting that most of the Bills before the Grand Jury had been thrown out - - -	3
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SIERRA LEONE.

The Right Hon. Sir G. Grey, Bart.

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H. Merivale, Esq., to Colonel Hill.

PAPERS

RELATIVE TO

THE PREVENTION OF SLAVE DEALING AT SIERRA LEONE.

SIERRA LEONE.
No. 1.

No. 1.

Copy of a DESPATCH from Governor Kennedy to the Duke of Newcastle.

(No. 134.)

Government House, Sierra Leone, July 5, 1853
(Received August 16, 1853.)

My Lord Duke,

Herewith I have the honour to transmit a nominal list of 117 persons whom I have rescued from slavery, either sold from or purchased and brought into this colony.

This list comprises the names I have already had the honour to forward.

The whole of these children, especially the females, are the most comely, robust, and intelligent which I have seen of their respective races.

I have, &c.

The Duke of Newcastle, &c. &c. &c.

(Signed) A. E. KENNEDY, Governor.

Enclosure in No. 1.

Encl. in No. 1.

List of Persons rescued from Slavery by his Excellency Arthur Edward Kennedy, Governor-in-Chief, from December 10, 1852, to June 23, 1853.

Numbers.	Names.	Sex.	Class.			Age of each.
			Children.	Middle Age.	Adults.	
						Years.
1	Kumbah, 1st	Female	1	–	–	12
2	Takey	,,	1	–	–	10
3	Barracatoo	,,	1	–	–	6
4	Carday	,,	1	–	–	7
5	Hester	,,	1	–	–	8
6	Boye, 1st	,,	1	–	–	8
7	Deebah, 1st	,,	1	–	–	10
8	Syebatoo	,,	1	–	–	14
9	Barreenoomah	,,	1	–	–	13
10	Kolako	,,	1	–	–	12
11	Tallah	,,	1	–	–	13
12	Boye, 2d	,,	1	–	–	7
13	Tenna, 2d	,,	1	–	–	6
14	Mary	,,	1	–	–	6
15	Moosoo	,,	1	–	–	7
16	Doosoo	,,	1	–	–	7
17	Mariahmah	,,	1	–	–	14
18	Wouday	,,	1	–	–	12
19	Dahmoh	,,	1	–	–	13
20	Boye, 3d	,,	1	–	–	14
21	Sarah	,,	1	–	–	14
22	Kumbah, 2d	,,	1	–	–	8
23	Leukay	,,	1	–	–	8
24	Barreenoomah, 2d	,,	1	–	–	14
25	Majopah	,,	1	–	–	8

SIERRA LEONE.

Numbers.	Names.	Sex.	Class.			Age of each.
			Children.	Middle Age.	Adults.	
						Years.
26	Patience Bennett	Female	1	–	–	14
27	Boyobo	„	1	–	–	10
28	Moosoo, 2d	„	1	–	–	8
29	Jareealto	„	1	–	–	7
30	Sally	„	1	–	–	7
31	Kumbah, 3d	„	1	–	–	6
32	Jemah, or Lucy	„	1	–	–	6
33	Pheno, or Susanna	„	1	–	–	12
34	Yarree, 1st, or Eliza	„	1	–	–	13
35	Pheno, 2d	„	1	–	–	8
36	Crial	„	1	–	–	10
37	Kumbah, 4th	„	1	–	–	9
38	Moosoo, 3d, or Ann	„	1	–	–	6 or 7
39	Yakootah, or Sara	„	1	–	–	7
40	Phebe	„	1	–	–	5
41	Bambah	„	1	–	–	6
42	Kounah	„	1	–	–	9 or 10
43	Tennah, 3d	„	1	–	–	10 or 11
44	Ceary Korankoh	„	1	–	–	5 or 6
45	Sara, 2d	„	1	–	–	7
46	Tenna, 4th	„	1	–	–	7 or 8
47	Deebah, 2d	„	1	–	–	8
48	Taywoh	„	1	–	–	3
49	Carday, 2d	„	1	–	–	8 or 9
50	Yearry, 2d, or Sally	„	1	–	–	9 or 10
51	Monday Cannee	„	1	–	–	14 or 15
52	Saltah Hawah	„	1	–	–	8 or 9
53	Maria	„	1	–	–	11 or 12
54	Martha, or Kumbah, 5th	„	1	–	–	4 or 5
55	Patience	„	1	–	–	14 or 15
56	Ann	„	1	–	–	13 or 14
57	Yellie, or Maria	„	1	–	–	8 or 9
58 }	Fernbay's two children	„	1	–	–	} 3 and 2½
59 }		„	1	–	–	
60	Mariamah, 2d	„	1	–	–	8
61	Tenna, 1st	„	–	1	–	17 or 18
62	Manty	„	–	1	–	19 or 20
63	Byah	„	–	–	1	30
64	Tembay	„	–	–	1	25
65	Doobah	„	–	1	–	20
66	Fomary	„	–	–	1	30
67	Kootah	„	–	1	–	16 or 17
68	Kie	„	–	1	–	10 or 20
69	Callie	Male	1	–	–	7
70	Forae, 1st	„	1	–	–	8
71	Yeamee	„	1	–	–	7
72	Joe Dillet	„	1	–	–	3
73	Tambah	„	1	–	–	6
74	Coekbey	„	1	–	–	4
75	Forae, 2d	„	1	–	–	14
76	Moosah, 1st	„	1	–	–	14
77	Bocary	„	1	–	–	15
78	Sambah	„	1	–	–	16
79	Tawacalitoo	„	1	–	–	11
80	Sahboo, 1st	„	1	–	–	12
81	Sahboo, 2d	„	1	–	–	13
82	Forae, 3d	„	1	–	–	12
83	Sasae	„	1	–	–	7 or 8
84	Forae, 4th	„	1	–	–	10
85	Morobah	„	1	–	–	6 or 7
86	Mormordoo	„	1	–	–	8
87	Sarrah, or Charles	„	1	–	–	7
88	Thomas	„	1	–	–	8
89	Mayambay	„	1	–	–	4
90	Forae Carimo	„	1	–	–	2½
91	Calhi, or William	„	1	–	–	10
92	Yeerah, or Barreeyemah	„	1	–	–	7
93	Sarbooyeemah	„	1	–	–	7 or 8

Numbers.	Names.	Sex.	Class.			Age of each.
			Children.	Middle Age.	Adults.	
						Years.
94	Mangie, or Moses	Males	1	–	–	7 or 8
95	Choe, or Thomas	„	1	–	–	7 or 8
96	Tambah, or Samuel	„	1	–	–	7 or 8
97	Cetepha	„	1	–	–	5
98	Doobah Yahbee	„	1	–	–	8 or 9
99	Farrah	„	1	–	–	8
100	Sahboo	„	1	–	–	11
101	Yahwoh	„	1	–	–	9
102	Torney	„	1	–	–	5
103	Moosah	„	–	1	–	16
104	Yeerah	„	–	1	–	15
105	John Callender	„	–	1	–	18
106	John Leigh	„	–	–	1	40
107	John Jackson	„	–	1	–	18
108	Beelalee	„	–	1	–	16 or 17
109	Joe	„	–	1	–	17 or 18
110	Tongee	„	–	1	–	16 or 17
111	Yeamee	„	–	1	–	17 or 18
112	Bangolah	„	–	–	1	26
113	Choe	„	–	–	1	27
114	Tambah	„	–	1	–	19
115	Farsarlee	„	–	1	–	19
116	Callay	„	–	1	–	17
117	Moraceeray	„	–	1	–	18
	Total		94	17	6	

In all one hundred and seventeen persons.

A. E. KENNEDY,
Governor.

No. 2.

No. 2.

COPY of a DESPATCH from Governor KENNEDY to the Duke of NEWCASTLE.

(No. 154.)

Government House, Sierra Leone, July 18, 1853.

MY LORD DUKE, (Received August 16, 1853.)

(Answered No. 91, September 3, 1853, page 38.)

HEREWITH I have the honour to transmit a calendar of the prisoners tried at the late quarter sessions, and it is with much pain that I direct your Grace's attention to some of the proceedings in reference to the now notorious system of buying, selling, and holding slaves in this colony. Eleven bills were sent before the grand jury for slave-dealing, and of these eight were thrown out.

2. The considerations involved are of so grave a nature that I feel assured your Grace would consider I had failed in my duty if I did not bring them under your notice.

3. Your Grace is aware that of the first convictions, and a very great majority of the whole arraigned for trial at former sessions charged with this disgraceful crime, were "Mandingoes" or Mahomedans, and little difficulty was found in procuring a conviction in most of the cases; a failure was only had where the accused happened to be in the employment or connected with influential persons.

4. As I extended my inquiries I found that the liberated Africans resident in the colony (more especially the Akoo race, who form two thirds of the population, and represent a large portion of its property) were deeply and habitually implicated in this disgraceful traffic.

5. This peculiar people, who may be termed the Jews of Africa (bearing all the strong characteristics of that race in Europe) are so clannish and so banded together, governed by laws and customs of their own, administered by a "king" or "headman" resident in the colony, and who, in my opinion, has been inju-

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diciously employed in the public service, that the police magistrate was from the first apprehensive of failure in procuring a conviction against any of them for an offence which they hardly consider to be a crime.

6. The proceedings of the grand jury cannot fail to convince your Grace that these apprehensions were too well founded.

7. I may state as almost an invariable rule, that no proceeding has been taken against any person for slave-dealing, until I had the subject of accusation (the child or children bought or sold) actually in possession of the authorities. In almost every case where a prosecution has been instituted the child or children have been produced; and in no case in the many acquittals, or bills thrown out by the grand jury, has such child or children been subsequently claimed by parent or anyone else, and the number of persons so rescued from slavery, and now under the protection of Government since December 1852, is 117. Had I departed from this rule I could have adduced evidence which would have convinced most juries in certainly double the number of cases actually proceeded with.

I have in no case interfered with or influenced the committing magistrate or Queen's advocate in reference to any cases sent for trial; nor have I ever been present at a trial, or even at the magisterial examination of a witness. I have merely drawn the attention of the magistrate to such cases as came within my own knowledge, and that only after I had the indisputable proof of the child or children with whose sale or purchase the party was charged actually in my possession.

8. I deem it due to myself to make this statement to assure your Grace that I have taken no part or personal interest in these prosecutions, beyond that which a faithful performance of my duty required.

9. I will first draw your Grace's attention to the cases in the calendar No. 4 and 7, where a conviction has been had; they require little comment beyond the perusal of the judge's notes, enclosed; and the depositions before the committing magistrate, also herewith; and by which it will appear that "Boccari Saranokoh" confessed his crime before the magistrate; and that fact alone, I am informed, prevented the grand jury from throwing out the bills.

10. The same remark applies to the case of "Selimanee Cabbee."

11. Having made diligent and close inquiry into the evidence in all the cases in which bills of indictment were preferred, I can conscientiously assert that the evidence in the cases where bills were thrown out was quite as strong, and in several cases much stronger than was adduced in the two cases of conviction first adverted to.

12. In the case of James Thompson, who is a man of considerable means (and gave a professional gentleman 50*l*. for his defence) one child was actually taken from his house (the boy Sarah), and is now in my possession; and it will be observed on reference to the evidence, that Thompson, when accused before the magistrate, scarcely denied the offence with which he was charged, and alleged that his accuser was paid by Mr. George Nicol, 1st writer in the secretary's office, to prosecute him. A most groundless, and, as your Grace I am sure will believe, a most improbable falsehood.

13. In the case of Rachel Jesty, I have in my possession two slave children taken from her; and in her defence before the committing magistrate, it will be observed, she scarcely denies the offence charged upon her.

14. A reference to the evidence before the magistrate in the case of Mary Frazer will show that her defence is nearly tantamount to an admission of guilt. I have in my possession two slave children actually taken from her.

15. The same remark will be found to apply in the case of Maria Wilson. I have in my possession two adults and five children taken from this woman and her husband, who died in gaol previous to trial.

16. The case of Mary Hagely appears to me a very clear one for the decision of a petty jury. I have in my possession three children taken from her.

17. A reference to the evidence in the case of John Ashley, will, I think, satisfy your Grace that it was a proper case for a jury. The superintendent of police went to his house on information; Ashley positively denied he had any child or children in his house, and on search being made, five were discovered secreted in a loft, covered with mats and fodder.

18. On a reference to the evidence in the cases of Mammadoo Karankah and Massa Fatatah your Grace will observe that they do not attempt a defence before the magistrate.

19. In referring your Grace to the judge's notes in the case of Mammadoo Ceelah I have only to add, that he is a near relation of "Sanacee Ceelah," convicted at March sessions, and is the most notorious slave-dealer of the whole party. I have in my possession five out of twenty-three children whom I have ascertained this miscreant carried away from the colony. I understand the judge charged strongly for a conviction.

20. The foreman of the petit jury who tried him is son to a Government officer, the manager of a district, and they did not, I am informed, deliberate five minutes in acquitting him.

21. I feel assured that your Grace will be pained to learn that James Thompson, Mary Frazer, John Ashley, Mary Hazely, and Maria Wilson and husband are all liberated Africans of the Akoo tribe, which I believe fully accounts for the conduct of the grand jury in throwing out the bills against them.

22. Rachael Jesty and her husband are colony born natives; the remainder of those indicted are Mahomedans.

23. Your Grace will thus observe, that of eight bills thrown out by the grand jury six were Akoo and liberated African cases.

24. I need scarcely state that the duty of the grand jury (as I understand it) is simply to inquire whether there be sufficient proved for putting the accused on trial; to inquire on their oaths whether there be sufficient cause to call upon the party accused to answer to the charge; and that they are restricted to the examination of witnesses for the prosecution only (Blackstone, chap. 18, page 370; Chitty's Criminal Law, pages 314 and 325; Deacon's Criminal Law, page 663). Whether the grand jury have done any of or more than these things is for your Grace to consider.

25. To afford your Grace satisfactory data upon which to form an opinion is a matter of some difficulty, inasmuch as proceedings of the grand jury are private, no written record kept, an oath of secrecy is taken, and no Crown prosecutor admitted to the examination.

26. In the absence of other documentary evidence, I transmit certified copies of the depositions before the police magistrate on which the prisoners were committed for trial, accompanied by the notes of the evidence taken by the Queen's advocate before he sent the bills before the grand jury.

27. On a mature consideration of all the facts I have stated, I am of opinion that there has been a signal failure of public justice, and a flagrant violation of the spirit and intention of the law and public duty on the part of the grand jury; and from all I know and can learn I have serious doubts that no better success will attend any future prosecutions for slave dealing in this colony while there is a grand jury to shield the culprit from an open and public trial.

28. It is quite hopeless to expect one Akoo to give evidence against another of his tribe. This difficulty, I am informed, has been ever found, even where they were employed as policemen; and I am further informed and believe that a declaration has been made by influential members of the grand jury, that they will never find a true bill in any case where Mahmadoo Yellie or the other witnesses hitherto brought forward are the deponents.

29. Your Grace has the notes of evidence of all these men before you, and I need not therefore defend them, beyond stating my belief that they have scrupulously and unswervingly stated the truth, though exposed to temptation and intimidation.

30. Your Grace will observe a circumstantiality characterizing the evidence of these witnesses which could not for a moment bear the test of the long and searching cross-examination they have been subjected to were it otherwise than true.

31. Public sympathy, I am pained to say, is altogether with the accused, while the witnesses who have assisted to remove this disgrace of slave-dealing and slave-holding from the colony are execrated and threatened with violence.

32. I have no authority to state the views of the chief justice, nor would I feel it proper to require them, unless under your Grace's instructions, but I am informed that his honour delivered a most impressive charge to the grand jury on the disgrace attached to the colony in consequence of the existence of such a crime as slave-dealing, and that on a subsequent reference to him by the grand jury he laid it down as the law, that one witness uncontradicted was altogether sufficient to justify them in finding a true bill.

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1 July 1853.

33. The witness Mahmadoo Yellie called on me after the trials, and most solemnly assures me that the grand jury did not attempt to elicit the facts or the truth from him, and further, addressed a letter to me, which I annex herewith. He is a man of high intelligence and good education, though an imperfect English scholar.

34. Conceiving it would be satisfactory to your Grace to have the opinion of the Queen's Advocate and Police Magistrate, I addressed to them the enclosed letters, and transmit their replies thereto herewith. I need not offer any comment upon them.

35. Having placed this painful subject before your Grace as fairly and intelligibly as I can, with very limited time at my command, I have only to submit the measures I would recommend in reference thereto.

36. First, I would recommend an ordinance should be passed to abolish the grand jury system, as totally unsuitable to the present condition of this colony. I believe it would meet with unanimous support in Council. The Bill should contain a clause directing the sheriff to send in a list of jurymen every six months, and giving the chief justice power to revise that list.

37. It may suggest itself to your Grace that I might at once, and without obtaining your Grace's approval, introduce such a Bill. My reason for not doing so is that, should I not be fortunate enough to meet your Grace's approval, it would put me and the Council in a disadvantageous position with slave-dealers and their abettors in the colony, and leave the whole matter in a worse position than at present.

38. Believing that the late grand jury is not (no more than the petty jury) a favourable specimen of the honesty or intelligence of the colony, I would recommend, the same or fresh bills be preferred against a certain number of cases in which the Queen's Advocate considered the evidence most conclusive. This proceeding, if it failed, would demonstrate still more strongly the necessity of abolishing the grand jury.

39. Before concluding I must state, that I believe the grand juries in this colony have frequently defeated the ends of justice in other cases than those of slave-dealing. On this point I would refer your Grace to the case of Isaac Clements, No. 15 in the kalendar herewith.

40. To enable your Grace to judge of the propriety of the grand jury ignoring the bill against this person, I annex herewith a certified copy of the depositions taken before the committing magistrate. I have no difficulty in tracing this remarkable finding to other causes than either proof or belief of the prisoner's innocence.

41. I also transmit a correspondence with the Queen's Advocate relative to the allegation against Mr. Lenaghan, contained in the notes of evidence on the trial of Mammadoo Ceelah.

I have, &c.
(Signed) A. E. KENNEDY,
Governor.

The Duke of Newcastle,
&c. &c. &c.

Enclosure in No. 2.

EXTRACT from the KALENDAR of PRISONERS tried at the General Quarter Sessions of the Peace and Commission of Oyer and Terminer and General Gaol Delivery for the Colony of Sierra Leone and the Dependencies thereof, holden on the 27th, 28th, and 29th days of June, and 1st and 2d days of July 1853.

No.	Names.	Crimes.	Bill Found or not Found.	Pleas.	Verdicts.	Sentences.	Remarks.
4	Boccari Sookonokoh	Slave-dealing	Found	Not guilty	Guilty	Three years' imprisonment with hard labour	———
6	Mammadoo, Karankah, and Massa Fulatah, otherwise called Kandakarah	Slave-dealing	Not found	-	-	-	Discharged.
7	Selimanee Cabbee, otherwise called Selimanee Numoh	Slave-dealing	Found	Not guilty	Guilty	Three years' imprisonment with hard labour.	———
9	Rachel Jesty	Slave-dealing	Not found	-	-	-	Discharged.
11	Maria Wilson	Slave-dealing	Not found	-	-	-	Discharged.
12	Mary Hazely	Slave-dealing	Not found	-	Guilty	-	Discharged.
15	Isaac Clements	Larceny	Not found	-	-	-	Discharged.
19	Mammadoo Seelah	Slave-dealing	Found	Not guilty	Not guilty	-	Discharged.
20	James Thompson	Slave-dealing	Not found	-	-	-	Discharged.
21	John Ashley	Slave-dealing	Not found	-	-	-	Discharged.
24	Mary Frazer	Slave-dealing	Not found	-	-	-	Discharged.

(Signed) JOHN CARR,
Chief Justice.

Crown Office, Freetown, Sierra Leone,
7th July 1853.

(Signed) JOHN MEHEM,
Clerk of the Crown.

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Enclosure in No. 2.

Encl. in No. 2.

SIR, Freetown, Sierra Leone, July 1, 1853.

I BEG to bring to your Excellency's notice that portion of the grand jurors all are slave-dealers, and that no question was put to me relative to the charge laid in the indictment against the prisoners, and that the grand jurors should only determine upon the evidence. I was sent down to the grand jurors to give my evidence, but my evidence was not taken by any of them.

And beg to communicate to your Excellency that almost the majority of the grand jurors are Akus, and that they have found no true bills against their own countrymen, but they have found all the Mandingoes guilty, which I think your Excellency will take notice of.

And beg further to communicate to your Excellency, if your Excellency will be pleased to inform the police magistrate that I am going to bring portion of the prisoners that no true bill found against them by the grand jurors after the Court is over. Some of them has two or three cases. As the laws of Her Majesty is still in existence for the slave trade I will not stop of giving information. I have giving my life on account of giving information. All the people in the colony are against me, and the slave that are in the colony at present. I will give information. I have taken my oath, and I will not lie.

I have, &c.
(Signed) MAMODOO × YELLIC,
His mark.

Encl. in No. 2.

Enclosure in No. 2.

SIR, Government House, Sierra Leone, July 4, 1853.

HAVING observed that bills of indictment were preferred by you against eleven persons at the late sessions, on charges of slave-dealing, and that of this number two only were convicted, I have the honour to request that you will afford me any information in your power on the following heads:—1st. Are you of opinion that the grand jury on the occasion was fairly chosen, and represents a fair average of grand juries in this colony? 2d. Are you of opinion that reasonable or sufficient evidence was sent before the grand jury to justify them in returning true bills in the cases submitted to them? 3d. Do you consider it expedient or desirable to adopt further and what proceedings against any of the persons in respect of whom bills were ignored by the grand jury?

I will further feel obliged for copies of any statement of witnesses taken by you with a view to these prosecutions, and any general remarks you may deem necessary to offer with a view to accounting for the failure of this large proportion of the prosecutions undertaken by the Crown.

I have, &c.
(Signed) A. E. KENNEDY,
Governor.

The Queen's Advocate,
&c. &c.

Encl. in No. 2.

Enclosure in No. 2.

SIR, Sierra Leone, July 13, 1853.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 4th inst., calling my attention to the circumstance of bills having been preferred by me as public prosecutor to the grand jury at the last sessions against eleven persons committed for trial by the police magistrate on charges of slave-dealing, out of which number bills against three persons only were found, of whom two alone were convicted; and requiring my opinion on several heads. 1st. Whether the grand jury on that occasion was fairly chosen, and represents a fair average of grand juries in this colony?

With reference to this question, I must beg leave to observe, that I do not think the grand juries generally summoned during the period to which my experience extends are a fair average of the respectability and intelligence of the colony. This circumstance has, I believe, partly arisen from Mr. Pine, the former Queen's Advocate, having observed the difficulty of obtaining a sufficient number of respectable persons to serve on the petty juries, which led to the practice of permitting the grand juries to be more generally composed than had been usual before, in order to reserve some of the most respectable jurors to try the cases at the sessions. I am far from being insensible to the inconvenience felt by Mr. Pine, which, even since the arrangement alluded to, I have often had occasion to experience myself; but the course pointed out has had the effect of introducing to the grand juries a class of persons by no means suited by their position for the performance of the duties imposed upon them—many of them perfectly illiterate, and in the humblest walk of life.

I cannot say that the last grand jury was much inferior in these respects to many that I have seen, nor have I any means of ascertaining whether it was fairly chosen or not. Grand juries are selected in general by the sheriff, who was on this occasion unwell

and unable to attend the court; but I must say that, however it occurred, a most unfortunate selection was made, considering the number of cases in the calendar of persons about to stand their trial for slave-dealing.

In some instances persons were summoned whose connexions had been involved in slave-trade transactions; in others, the relatives or bail of the parties against whom bills were about to be sent up for an offence of a similar character were called as jurors. One such instance I pointed out of a grand juror who was bail for one of the prisoners, when he was ordered by the court to withdraw. Another under the same circumstance I only discovered after he had been sworn and retired with the rest; subsequently, the court, at my request, gave him an admonition not to take any part upon the bill against the person for whom he was security; of course I am unable to state with what effect. The other objections only came to my knowledge afterwards.

The next question is, whether in my opinion reasonable or sufficient evidence was sent before the grand jury to justify them in returning true bills in the cases submitted to them. To this I must reply, certainly, as far as I could judge from a personal examination of the witnesses, upon whose evidence the persons charged were committed to trial, and also from the statements of several other witnesses, in almost every case taken by myself, who were sent with the others before the grand jury.

The evidence of these persons does not appear in the depositions, owing to their not having been examined at the police court.

I enclose a copy of the rough notes which I made of these statements for my own guidance in the different cases at the time the witnesses were examined by me. The principal witnesses appeared to me fully corroborated in all the cases; in some by the very children who formed the subjects of the indictments, in others by other children who had known the former ones at the time the transactions were stated to have occurred, or by some other material circumstances.

I may here remark that it is by no means necessary that the committing magistrate should exhaust all the evidence in a case before sending the party charged to trial. The law seems now equally well established that a witness may add to the evidence given by him before the magistrate, and returned in his depositions, as that material evidence may be given by other witnesses, not before examined, on the part of the prosecution.

It would be extremely prejudicial, circumstanced as this colony is, if the parties charged, especially with offences connected with slave-dealing, were put in possession of every particle of evidence that could be adduced against them a considerable period before their trial. When, for example, children have been brought into the colony and sold here, a number of witnesses might be procured from different parts of the native country whose character or credibility there might be no means of testing at the trial, and yet who might meet every statement of the witnesses for the prosecution with a direct negative. While ready to give prisoners the benefit of every fair advantage, I think all they can be entitled to is, to be acquainted with the general nature of the testimony by which the charge against them is to be supported.

With reference to the corroboration I may also remark, that I think it might be reasonably urged that the principal witnesses, from the mere fact of their having been present at the transactions of which they gave evidence, and not having immediately given information of them, did not stand in such a relation to the prisoners as should induce a judge, in the exercise of his discretion, to recommend a jury to expect confirmation of their testimony. Besides, it would be competent for the jury to find a verdict upon the unsupported testimony even of an actual accomplice, which would be prefectly legal.

But, as your Excellency is no doubt aware, it is not within the province of a grand jury to go so minutely into the case as to satisfy themselves of the guilt or innocence of the prisoner, their duty is confined simply to ascertaining whether there is sufficient evidence against him to warrant his being put upon his trial, and it is for the petty jury afterwards to declare upon his guilt or innocence. The court, at my express instance, called the attention of the grand jury at the last sessions to the law upon this subject.

The last question addressed to me by your Excellency is, whether I consider it expedient or desirable to adopt further, and what proceedings against any of the persons in respect of whom bills were ignored by the grand jury.

I cannot pronounce positively what course might be taken by another grand jury, but I am disposed to consider that, constituted as the present grand jury system now is in this colony, it would be fruitless to prefer other Bills to a subsequent grand jury, against these persons upon the same charge, without obtaining further material—indeed, perfectly irresistible evidence, as it would in my opinion only lead to a further failure of justice; and from the strong desire evinced by some parties, by no means without influence, to do everything in their power to discredit these prosecutions, it is more than probable that the example set by the previous grand jury would be almost certainly followed by a succeeding one.

Nor from the acquittal by the petty jury of one of the three persons indicted for slave-dealing, at the last sessions, upon perfectly clear evidence, can I feel at all confident that this feeling is not very largely participated in by the class from which petty juries are generally chosen; by some possibly from motives of interest, or apprehension of being themselves liable to be charged with the same offence, and by others from the well-known

SIERRA LEONE.

sympathy for their countrymen that exists amongst the different tribes that form the mass of our mixed population.

I am informed, that in former days a grand jury of this colony did not escape the animadversions of the bench for the leaning they manifested towards those charged with offences connected with the slave-trade. A like reflection has been cast upon those who generally compose the petty juries. Dr. Madden, in his report laid before the Committee of the House of Commons, on the West Coast of Africa in 1842, alluding to the interest created in the minds of the liberated Africans by the sales of the coppers and stores of the vessels engaged in the slave-trade, of which articles they were frequently purchasers, (page fourteen) states :—" These new interests have a very unfavourable influence on the " character of this class of liberated negroes, when employed in public situations, or called " upon to act as petty juries in our courts. If the case is one which involves the interests " of a slave-dealer, no matter what his nation, the disposition of a jury thus composed " is invariably to give a verdict in favour of the slave-trader, unless the chief justice should " take extraordinary pains to make them do their duty honestly and impartially."

Dr. Madden then refers to the acquittal of an English captain, of a notorious, slave-trade vessel called the " Augusta," by a petty jury, all of whom were persons of colour, in spite of the clearest evidence, when the verdict was received by the coloured persons in the court, and by some others of similar sentiments, with decided tokens of approbation.

The justice of these observations upon the general character of petty juries has been denied by some persons, but there is unfortunately too much reason for believing them to be well founded, even when applied to the present time.

As some remedy for these evils, considered with reference to ordinary cases, the abolition of grand juries altogether was mooted last year in the Council before you Excellency's arrival in the colony, and before any of these prosecutions for offences of slave-dealing had been undertaken. The Council generally appeared to think such a measure would be very desirable and beneficial; for my own part, I can hardly anticipate what would be the result if the experiment were made.

The most immediate and obvious effect would be, to place upon the petty juries a number of persons who now very inefficiently or improperly perform the duty of a preliminary investigation imposed upon them as a grand jury. Upon the other hand, it may be said that there is no unpaid magistracy acting in this colony; that all cases that come before the managers of districts, who exercise magisterial powers, are invariably according to the practice for the last five years, investigated before any person is sent for trial, by the police magistrate, who alone commits the persons charged with any offence, to be tried. The cases being thus well sifted before they are sent to the Court of Quarter Sessions, and in no instance a party put upon his trial without there being ample grounds for doing so, it follows that the reasons which exist in many places for having an investigation before a grand jury do not apply to the actual state of this colony. Your Excellency is aware that the abolition of the grand jury system has been considered advisable even in England; it will be readily perceived how many more reasons could be urged in favour of such a measure with reference to a state of society like that of Sierra Leone.

As I have already observed, however, I should not feel disposed to place much reliance upon such a measure alone, as likely to afford any very material aid and support to the due administration of justice, which must chiefly be looked for from the development of a more healthy tone of feeling amongst those from whom juries in general are selected, and from a fuller consciousness of the blessings of freedom, and the other privileges enjoyed under British rule, amongst all classes of the population.

I have, &c.

Governor A. E. Kennedy, &c. &c. &c.

(Signed) J. M. O'Neill, Queen's Advocate.

Encl. in No. 2.

Enclosure in No. 2.

Sir, Government House, Sierra Leone, July 4, 1853.

Having, in your capacity of police magistrate, inquired into and examined the evidence in the cases of slave-dealing named in the margin, I am desirous of having your personal opinion as to the sufficiency of the evidence submitted to the grand jury to justify the persons named being placed upon their trial.

Jas. Thompson.
Mary Hazely.
Mary Frazer.
Maria Wilson.
John Ashley.
Kandakura.
Mamadoo Karanka.
Mamudoo Seelah.
Rachel Jesty.

I have, &c.

(Signed) A. E. Kennedy, Governor.

The Hon. R. Armstrong, Police Magistrate.

Encl. in No. 2.

Enclosure in No. 2.

Sir, Freetown, July 9, 1853.

In replying to your Excellency's communication of the 4th instant, I see no reason for altering the opinion I before expressed of the rejection by grand jurors of several indictments preferred against slave-dealers at the late sessions, as the evidence in

each case appeared to me fully sufficient to warrant them in sending all the prisoners for trial before a petty jury.

I beg to assure your Excellency, that it is not without great reluctance I feel myself compelled to bring to your notice the inability of our present grand jury system, as it seems to be a positive obstruction to the administration of justice, and perfectly useless, save as a mode by which guilty persons may be screened or escape from punishment.

I have, &c,

(Signed) ROBERT ARMSTRONG,
Police Magistrate.

His Excellency the Governor,
&c. &c. &c.

Enclosure in No. 2.

Encl. in No. 2.

POLICE COURT, FREETOWN.

Sierra Leone to wit.

THE EXAMINATIONS of Alexander Du Pigny, merchant; William Cabouse and Peter Kendle, coopers, of Freetown aforesaid, taken on oath this 20th day of May in the year of our Lord One thousand eight hundred and fifty-three, before Robert Armstrong, police magistrate for said colony, in the presence and hearing of Isaac Clements, cooper, charged before me with larcency, at Freetown aforesaid.

Deponent, Alexander Du Pigny, on his oath saith,—I am agent for Lewis Frederick Bellot, merchant, of Freetown, in this colony. I know the prisoner, Isaac Clements, who was occasionally employed as a cooper about our premises. On this morning I received information that a puncheon belonging to the said Mr. Bellot had been seen in the possession of the prisoner. I proceeded towards his shop in Rawdon Street, and on my way met a man, Cotoo, rolling a puncheon. This man said that he was then taking it to Mr. Bellot's store. I then examined the puncheon, and found it to be the property of Mr. Bellot, whose mark, J. B. S., had been chipped or removed from it. A short time after this the prisoner came to me, and said that the said puncheon belonged to him, but that he had taken the centre or head piece having the mark J. B. S. from our yard on yesterday. That he had received the puncheon from an Acco man whose name he did not know. The said puncheon, belonging to Mr. Bellot, and found at the shop of the prisoner, is now outside the police court. It is worth 15*s*. I swear that the said puncheon was in Mr. Bellot's yard two weeks ago. I could identify it among a large number of casks.

Cross-examined by the prisoner.—Did not see prisoner take any casks from the yard.

(Signed) ALEXANDER DU PIGNY.

William Cabouse, being sworn, saith,—I am a cooper; the puncheon outside the police court belongs to Mr. Bellot; on the day before yesterday I saw it in his yard at Rawdon Street, Freetown. Yesterday, the prisoner and another cooper, Thomas Boston, were engaged at work on the premises of Mr. Bellot and close to the place where the said puncheon lay. In the afternoon of yesterday I found the said puncheon in possession of the prisoner Clements at a cooperage in Rawdon Street, close to Mr. Bellot's house; he was then working at it. Prisoner told me that the puncheon had been given to him for repairs by a man whose name he did not mention. I saw that the puncheon belonged to Mr. Bellot; he denied this. On this morning, I pointed out prisoner to several persons, and gave information to Mr. Bellot's watchman, who informed Mr. Du Pigny.

Cross-examined by the prisoner.—I did not see prisoner remove the puncheon.

(Signed) WILLIAM CABOUSE, his × mark.

Peter Kendle, being sworn, saith,—I am a cooper; the puncheon now at the police court I saw on yesterday at the cooperage, in Rawdon Street, occupied by the prisoner, who was working in it. I then observed on the head of the said puncheon the letters J. B. S. This morning I saw the cask at the same spot, but the before-mentioned marks were chopped off it.

Taken and sworn before me on the day and year before mentioned at Freetown.

(Signed) ROBERT ARMSTRONG,
Police Magistrate.

Prisoner, having been cautioned according to law, saith,—Yesterday, about one o'clock, the man brought the cask to me, saying I must work it. The cask had only five hoops and one head. I agreed to repair the cask for 1*s*. 9*d*., finding one head for it. I had heading in the shop at the time, so I took the heading and put it on the cask. When Mr. Cabouse came he asked me where I got the cask; I told him a man had given it to me to work. The man said he was going up the river, and that I must keep the cask for three weeks. This morning I found Boston cleaning the cask and making it level. Cabouse told me that it belonged to Mr. Du Pigny. I told Mr. Du Pigny that a man

SIERRA LEONE.

had given it to me, and asked him to allow me to find the man. He would not let me go. I do not know the man's name; he lives in Settler Town, and always gives me work.

(Signed) ISAAC CLEMENTS, his × mark.

Prisoner Isaac Clements committed for trial at next sessions.

(Signed) ROBERT ARMSTRONG,
Police Magistrate.

Encl. in No. 2.

Enclosure in No. 2.

Government House, Sierra Leone,
July 15, 1853.

SIR,

I HAVE the honour to enclose a certified copy of evidence taken on the trial of Mammadoo Culah, for slave dealing, at the last sessions, to enable you to take an extract of that portion relative to Mr. Lenaghan, a legal practitioner in the courts of this colony, should you see fit to institute any inquiry or proceedings in the case.

I beg the notes of evidence herewith may be returned as soon as possible.

I have, &c.

The Hon. the Queen's Advocate,
&c. &c. &c.

(Signed) A. E. KENNEDY,
Governor.

Encl. in No. 2.

Enclosure in No. 2.

Sierra Leone, July 15, 1853.

SIR,

I HAVE the honour to acknowledge your Excellency's letter of this day's date, enclosing a certified copy of the evidence in the case of Mammodoo Seelah, tried for slave-dealing at the last sessions, which I now return, having made the extract of that portion relative to Mr Lenaghan.

I shall give my best consideration to the steps it may be necessary to take with reference to this matter, and endeavour to ascertain what further evidence exists as to the circumstances disclosed.

I have, &c.

His Excellency the Governor,
&c. &c. &c.

(Signed) J. M. O'NEILL,
Queen's Advocate.

No. 3.

No. 3.

COPY of a DESPATCH from Governor KENNEDY to the Duke of NEWCASTLE.

(No. 193.)

Government House, Sierra Leone,
October 20, 1853.
(Received November 16, 1853.)

MY LORD DUKE,

No. 1.

HEREWITH I have the honour to transmit the calendar of prisoners tried at the general quarter sessions held on 26th to 28th September 1853, continued on the 3rd October 1853.

2. I have also the honour to transmit copies of depositions taken in certain slave-dealing cases before the committing magistrate, together with the Judge's notes of the trial and acquittal of two of those indicted for slave dealing.

3. On finding that Thomas Cole (No. 2 in calendar) and "Massa Falatta" (No. 13) were acquitted upon what the Queen's Advocate and others thought sufficient evidence to convict, I consulted that officer, who concurred with me in thinking that, in the then temper of some of the persons composing the jury, a conviction in the other remaining cases, No. 3, No. 7, and No. 10, was hopeless, and that it was only bringing the law and trial by jury into further disrepute to proceed with them. He applied for a postponement till next sessions, letting the parties go at large on their own recognizance. If they do not in the interval abscond from the colony, it will be a matter of serious consideration how they are to be dealt with.

4. Little comment upon the depositions and notes of evidence seems called for. His honour the Chief Justice, I am informed, summed up the evidence in the cases of Cole and Massa Falatta in an able and lucid manner, and

charged for a conviction in both cases. I am also of opinion that the acting Queen's Advocate conducted the prosecution with ability and discretion.

5. In none of these cases has a prosecution been undertaken till the child or children alleged to have been bought or sold were actually in possession of the authorities; and the total number of children rescued from slavery to this date, and located at the Church Missionary Schools, is 136,—all aliens, and without a legal or parental claimant for one of them.

6. It is with deep pain that I express my belief, that, in the present state of society and feeling in reference to domestic slavery in this colony, a conviction cannot be had on any evidence which there is any probability of being able to adduce, and in this opinion the most experienced officers in the public service of the colony concur. A perusal of the recorded evidence in these cases, and the verdict arrived at, will, I feel assured, go far to prove the soundness of this opinion.

7. I have introduced two Ordinances with a view to remedy this state of things, which I will shortly submit for your Grace's approval.

I have, &c.

(Signed) A. E. KENNEDY,
Governor.

The Duke of Newcastle,
&c. &c. &c.

Enclosure in No. 3.

EXTRACT from the CALENDAR of PRISONERS tried at the General Quarter Sessions of the Peace and Commission of Oyer and Terminer and General Gaol Delivery for the Colony of Sierra Leone and the Dependencies thereof, holden on the 26th, 27th, 28th, 29th, and 30th days of September, and 3d day of October, in the year of our Lord 1853.

No.	Names.	Crimes.	Bills found or not.	Pleas.	Verdict.	Sentences.	Remarks.
*	* * *	* *	*	*	*	* * * *	* * *
2	Thomas Cole - - -	Slave-dealing -	Found -	Not guilty -	Not guilty -	- - - - - -	Discharged.
3	Phœbe George - -	Slave-dealing -	Found -	- -	- -	- - - - - -	Postponed until the next sessions.
*	* * *	* *	*	*	*	* * * *	* * *
6	Mammadoo Selah - -	Slave-dealing -	Not found -	- -	- -	- - - - - -	Discharged.
7	Cearey Karankay, otherwise called Fatimah - -	Slave-dealing -	Found -	- -	- -	- - - - - -	Postponed until the next sessions.
*	* * *	* *	*	*	*	* * * *	* * *
10	Rosanna Barnett - -	Slave-dealing -	Found -	- -	- -	- - - - - -	Postponed until the next sessions.
*	* * *	* *	*	*	*	* * * *	* * *
13	Massa Falatah, otherwise called Kandakarrah - -	Slave-dealing -	Found -	Not guilty -	Not guilty -	- - - - - -	Discharged.
*	* * *	* *	*	*	*	* * * *	* * *
18	Nelly, otherwise called Ellen Harding - - -	Slave-dealing -	Not found -	- -	- -	- - - - - -	Discharged.

Crown Office, Freetown, Sierra Leone, October 6, 1853.

(Signed) JOHN CARR,
Chief Justice.

(Signed) JOHN MEHEM,
Clerk of the Crown.

No. 4.

Extract of a DESPATCH from Governor Kennedy to the Duke of Newcastle.

(No. 220.) Government House, Sierra Leone, December 1, 1853.
(Received January 9, 1854.)
(Answered No. 134, February 5, 1854, page 39.)

"Adverting to your Grace's Despatch No. 91, dated September 3, 1853, I have the honour to transmit six copies of an Ordinance to amend the laws relative to jurors and juries in the colony of Sierra Leone.

"This ordinance passed the first, second, and third readings before the Council unanimously, and I therefore trust that it will meet with your Grace's approval and receive Her Majesty's confirmation.

"I need not here recapitulate the causes which led to the introduction of this Ordinance; they are to be found in my Despatch No. 154,* dated July 18, 1853.

* Page 3.

"I have given every care and attention in my power to the preparation of this Ordinance. The only clause of which it becomes necessary to remark on is the 7th, or qualification clause, connected with which the following information may be satisfactory. A return which I called for shows the following results:—

"There are 105 persons assessed from 10*l.* to 20*l.*, 26 persons from 20*l.* to 30*l.*, and 63 persons from 30*l.* upwards, making a total of 194 persons assessed at 10*l.* and upwards, who, by the clause adverted to, will form the jury list.

"I inclose an extract from the Minutes of Council in reference to the passing of this Bill. Your Grace will observe that a clause to the following purport was expunged from the Bill on second reading, viz., "That a verdict of a "majority of two thirds of a jury shall be held and taken to be and received "by every court in the said colony as the verdict of the whole jury in all "cases, civil and criminal."

"I am of opinion that this clause would have me tbut one adverse vote in the Council; but not knowing your Grace's views on the principle involved, I thought it prudent to withdraw the clause.

"I am however of opinion that in the existing state of society in this colony (and more especially in slave cases), such a change in the law will sooner or later be found necessary.

"I deem it proper to transmit with this Ordinance the original of a petition (without date), purporting to be "The petition of the citizens of Freetown and colony in general," laid before the Governor and Council on the 29th November. Your Grace will observe that a great number of names attached to it are those of persons who cannot write, and many of whom I find upon inquiry were altogether ignorant of the purport of the Ordinances they are supposed to protest against.

"There are the names of many persons who are known to be connected with slaving transactions, and some who would undoubtedly find the unaltered grand jury law, as carried out in this colony, a safeguard to their liberty, at the expense of humanity and justice." * * *

"I do not attach either weight or importance to it, knowing the facility of getting up such petitions upon any subject.

"Begging for your Grace's early consideration and decision of this Ordinance."

SIERRA LEONE.

Encl. 1 in No. 4.

Enclosure 1 in No. 4.

In the Seventeenth Year of the Reign of Her Majesty Queen Victoria.

No. 14.

AN ORDINANCE to amend the Laws relative to Jurors and Juries in the Colony of Sierra Leone.

Preamble.

WHEREAS it is expedient to amend the laws relating to jurors and juries in the said colony: be it therefore enacted by the Governor and Council as follows:

Proceeding by grand jury in criminal prosecutions to be abolished.

I. That the proceeding by grand jury in criminal prosecutions in the said colony be and the same is hereby abolished: And that it shall no longer be necessary for the Sheriff to summon persons to attend to serve as grand jurors in the Courts of Quarter Sessions of the Peace, and Oyer and Terminer, and Gaol Delivery, or other superior criminal court in the said colony of Sierra Leone.

All offences to be prosecuted by information of Her Majesty's advocate.

II. That all crimes, misdemeanors, and offences cognizable in the said Courts of Quarter Sessions of the Peace, Oyer and Terminer, Gaol Delivery, or other superior criminal court in the said colony, shall be prosecuted by information in the name of Her Majesty's advocate, or other officer duly appointed for such purpose by the Governor of the colony for the time being.

Issues of fact to be tried by two or more commissioners.

III. That all issues of fact joined on every such information in any of the said courts shall be tried by two or more commissioners or justices of such courts respectively, and a jury of twelve good and lawful men impannelled in the usual manner and sworn to give a verdict according to the evidence.

The court may discharge a jury where they cannot agree.

IV. In every case where a jury on the trial of any issue joined in any court of the colony, civil or criminal, cannot agree after a deliberation of twelve hours, the court before which such trial shall be had may, if it shall see fit, discharge the jury without giving a verdict.

Where jury discharged cause may be again tried.

V. In all cases civil or criminal where a jury are discharged, or prevented from giving a verdict by reason of an accident or other cause during the progress of the trial, or after the cause is submitted to them, the cause may be again tried at the same or another session, term, or sitting of the court.

Challenge of jurors.

VI. No person arraigned for a felony punishable with death shall be admitted to any peremptory challenge above the number of twenty. On a trial for a felony not punishable with death a prisoner or defendant shall only be entitled to ten peremptory challenges.

Qualification of jurors.

VII. Every man, residing in the said colony, who shall have in his own name, or in trust for him within the said colony, ten pounds by the year above reprises in lands or tenements of freehold, or in rents issuing out of any such lands or tenements, or in such lands, tenements, and rents taken together, in fee simple, fee tail, or for the life of himself or some other person, or who shall have within the said colony twenty pounds by the year above reprises in lands or tenements, held by lease or leases for the absolute term of twenty-one years, or some longer term, or for any term of years determinable on any life or lives, or who shall be an occupier of a house rated or assessed to the inhabited house tax in the said colony on a value of not less than thirty pounds, shall be qualified and liable to serve on juries for the trial of all issues joined in any court in the said colony, civil or criminal.

No man not being a subject shall be qualified to serve as a juror.

VIII. No man, not being a subject of the Queen, is or shall be qualified to serve on juries or inquests, except only in the cases herein-after expressly provided for; and no man who hath been or shall be attainted of any treason or felony, or convicted of any crime that is infamous, unless he shall have obtained a free pardon, is or shall be qualified to serve on juries or inquests in any court in the said colony.

Where any alien is indicted for any felony, &c., the sheriff shall by command of the court return for one half of the jury a competent number of aliens.

IX. Nothing herein shall extend to deprive any alien indicted or impeached of any felony or misdemeanor of the right of being tried by a jury de medietate linguæ, but on the prayer of every alien so indicted or impeached, the sheriff shall, by command of the court, return for one half of the jury a competent number of aliens, if so many there be in the town or place where the trial is had, and if not, then so many aliens as shall be found in the same town or place, if any; and no such alien juror shall be liable to be challenged for want of freehold or of any other qualification required by this ordinance, but every such alien may be challenged for any other cause, in like manner as if he were qualified by this ordinance.

The sheriff shall between the first day of August and the first day of September in each year, prepare a list of every man qualified to serve.

X. The sheriff shall between the first day of August and the first day of September in every year, prepare and make out in alphabetical order a true list of every man residing within the said colony who shall be qualified and liable to serve, with the Christian and surname in full length, and with the true place of abode, title, quality, calling or business, and the nature of the qualification of every such man in the proper columns of the form of return set forth in Schedule A., hereunto annexed. And such list duly prepared shall be delivered by the sheriff on or before the tenth day of September in every year to the clerk of the Crown, who shall lay the same before the justices at the Court of Quarter Sessions of the Peace next holden in the said colony on the first day of its sitting.

The justices of the court shall upon notice given, revise and reform every such list.

XI. The justices of the said Court of Quarter Sessions of the Peace shall, upon notice for that purpose being given by the clerk of the Crown, revise and reform such list. And if any man not qualified and liable to serve, is inserted in such list, it shall be lawful for the justices, upon satisfaction from the oath of the party complaining or other proof, or upon their own knowledge that he is not qualified and liable to serve, to strike his name out, and also to strike thereout the names of men disabled by lunacy or imbecility of mind, or by deafness, blindness, or other permanent infirmity of body; and it shall also be lawful for such justices to insert in such list the name of any man omitted therein, and likewise to reform any errors or omissions which shall appear to them to have been committed in respect to the name, abode, title, quality, calling, business, or the nature of the qualification of any man included in any such list.

The clerk of the Crown to keep such list among the records of the sessions.

XII. And when every such list shall be duly corrected at such sessions, or at such adjournment thereof, it shall be allowed by the justices present, or two of them, who shall sign the same with their allowance. And the clerk of the Crown shall keep such list among the records of the sessions, and shall cause the same to be fairly copied in the same order in a book to be by him provided for that purpose, and shall deliver the same book to the sheriff of the colony or his deputy within one month next after the close of such sessions, which book shall be called "The Jurors Book for the year " (inserting the year for which such book is to be in use); and every sheriff on quitting his office, shall deliver the same to the succeeding sheriff; and every jurors book so prepared shall be brought into use on the first day of January after it shall be so delivered by the clerk of the Crown to the sheriff or his deputy, and shall be used for one year then next following.

Such book to be brought into use on the first day of January for one year.

The sheriff or coroner, upon the receipt of any writ for the return of jurors, shall return the names of men contained in the jurors book.

XIII. The sheriff upon the receipt of any writ or precept for the return of jurors, shall return the names of men contained in the jurors book for the current year, and no others; and where process for returning a jury for the trial of any issues shall be directed to the coroner, elisor, or other minister, he shall have free access to the jurors book for the current year, and shall in like manner return the names of men contained therein, and no others: Provided that if there shall be no jurors book in existence for the current year, it shall be lawful to return jurors from the jurors book for the year preceding.

Ordinance when in force.

XIV. This Ordinance shall not come into operation until it shall have received Her most Gracious Majesty's royal confirmation.

(Signed) A. E. Kennedy,
Governor.

Passed in the Legislative Council, this twenty-ninth day of November, in the year of our Lord one thousand eight hundred and fifty-three.

(Signed) Fred. P. Barlee,
Clerk of Council.

Form of Return.

The Return of the Sheriff of the said Colony of Men qualified to serve on Juries.

Parish or Township. (In Towns add the Name of the Street.)	Christian and Surname at full length.	Title, Quality, Calling, or Business.	Nature of Qualification.

SIERRA LEONE.

Encl. 2 in No. 4.

Enclosure 2 in No. 4.

EXTRACT from MINUTES of COUNCIL, dated Council Chamber, Sierra Leone, November 23, 1853.

PRESENT:

His Excellency the Governor.
His Honour the Chief Justice.
The Honourable the Queen's Advocate.
The Honourable the Colonial Secretary.
The Honourable R. Armstrong.
The Honourable J. T. Commissiong.
The Honourable the Lord Bishop of Sierra Leone.

The Ordinance to amend the laws relating to jurors and juries was then brought up for second reading.

His Excellency said, in reference to Clause 4, relative to a majority of two thirds of a jury being taken as a verdict, in which he thoroughly concurred, that he considered it had better be omitted, as it was desirable the Ordinance should pass into law as soon as possible, and a query on that clause might arise from the Secretary of State.

The Queen's Advocate said, he agreed with the Governor, though there was certainly great necessity for some alteration to the effect of Clause 4 being made. He hoped the Governor would bring it under the notice of Her Majesty's Government, so that something of the kind might be done at a future period.

The Colonial Secretary appeared to disagree altogether with Clause 4, and to think the argument of the Queen's Advocate cut both ways. He deemed the privilege of a juror very great, and though one man might hold out his opinion against eleven others, still that man might be right, and thereby possibly save the life of a fellow creature.

The Governor said, the principle contained in Clause 4 remained undisturbed in Scotland and worked well, and many people of high standing regretted it was not so in England.

The Police Magistrate would remark on that clause, that some change was necessary; he knew jurors in the colony who had gone into the box with a determination to acquit before they had heard any evidence.

Clause 4 being struck out, and sundry other alterations made, the Ordinance was declared to have passed a second reading, and was ordered to be reprinted.

(Signed) FRED. P. BARLEE, Clerk of Council.

Encl. 3 in No. 4.

Enclosure 3 in No. 4.

To his Excellency Governor Kennedy and the Honourable Board of Council.

The petition of the citizens of Freetown and colony in general

Humbly showeth,

THAT your petitioners view with deep anxiety and alarm the draft of a Bill now before the Honourable Board of Council, intituled a "Juries Act."

That your petitioners hold the trial by a jury, constituted as contemplated by the charter of the colony, and which, by a long experience, has been found well adapted to its circumstances, to be the only guarantee in a Crown colony for the liberty and the safety of the property of the colonists.

That your petitioners view with a great deal of jealousy any act tending to alter the form of trial by jury, or that may in any way curtail the protection secured by the present mode of trial.

That your petitioners view with abhorrence and detestation any act of slave trading as much as any of Her Majesty's subjects; nevertheless, they consider the Act intituled "The Alien Children's Act" as unconstitutional and un-English, and which may be converted into an instrument of the grossest oppression and annoyance to your petitioners. And whilst your petitioners have been gratuitously extending the benefits of education and Christian knowledge and religion to the children of the native inhabitants of the surrounding neighbourhood, they look upon this Act as one that will at once put a stop to the influx of the native children into the colony.

That your petitioners pray the Government and the Honourable Board of Council will be graciously pleased to take the earnest prayer of this petition into consideration, and cause these bills not to pass into a law.

And your petitioners shall ever pray, &c.

[Signed by 195 merchants and citizens of Freetown.]

Sierra Leone, Nov. 29, 1853.

SIERRA LEONE.

No. 5.

No. 5.

Copy of a DESPATCH from Governor Kennedy to the Duke of Newcastle.

(No. 231.) Government House, Sierra Leone, December 9, 1853.

(Received January 9, 1854.)

My Lord Duke, (Answered, No. 133, February 4, 1854, page 39.)

Herewith I have the honour to transmit six copies of an Ordinance for the better protection of alien children within the colony of Sierra Leone, which has, after mature consideration, been unanimously adopted by the Council.

2. I introduced this ordinance for the purpose of meeting and correcting an evil which, if unchecked, would soon disgrace and demoralize the colony, and which was beyond the reach of the existing law.

3. It has been satisfactorily shown in evidence already before your Grace that a large number of slave children have been introduced into this colony, 150 of whom have been rescued from slavery within the colony or in neighbouring countries, whither they had been conveyed from it within the last twelve months.

4. These children are usually purchased at a tender age, and used as domestic drudges within the colony till they approach adolescence, when they are conveyed to the Foulah or Mandingo countries, and sold as slaves, or exchanged for cattle.

5. Unless the purchase or sale of such children can be proven within jurisdiction, the law cannot reach the delinquent; at the same time there is no means of preventing such children being conveyed from the colony for the purpose of being sold or enslaved beyond the limits.

6. There being a superabundance of cheap labour within the colony, there can be no sufficient or proper motive for introducing alien children, which it is the object of this bill to prevent.

The pretext of education, secular or religious, put forward by certain petitioners against this ordinance is too transparent to be dealt with seriously. The original memorial, transmitted in my Despatch No. 220, dated 1st instant, shows the amount of education among the petitioners, a large portion of whom cannot write, and I fear their religious and moral fitness for the training of children is of even a lower standard. There is a remarakable absence of respectable names.

7. I am fully alive to objections which may be alleged against this bill; but I felt that the failure of justice in recent cases submitted to juries in the colony called for some immediate protection for these unhappy children, which I have endeavoured to supply by introducing this ordinance, which I trust your Grace may be able to recommend for Her Majesty's confirmation.

I have, &c.

(Signed) A. E. KENNEDY,

His Grace the Duke of Newcastle, &c. &c. &c. Governor.

Enclosure 1 in No. 5.

Encl. 1 in No. 5.

In the seventeenth year of the reign of Her Majesty Queen Victoria.

No. 15.

An Ordinance for the better Protection of Alien Children within the Colony of Sierra Leone.

Title.

Whereas it is rendered expedient and necessary for the better protection of alien children who are at present residing within the colony, or who may hereafter be brought into it, that a register of all such children should be duly kept by the police magistrate:

Preamble.

I. Be it therefore enacted by the Governor and Council, that from and after the passing of this ordinance the police magistrate of the colony shall forthwith issue a summons or warrant if necessary to each and every person who shall have the care or custody of any alien child within the said colony, under the age of twenty-one years, calling upon such person to attend before him at the police office at such time as he may appoint, there to declare the name, age, sex, nation of such child, with whom residing, name and residence of parents, and of the persons bringing the same into the colony, and for what purpose introduced; and the police magistrate is hereby authorized to issue such summons or warrant, and to provide and keep a book, which he is to obtain for that purpose at the public expense, and to enter or cause to be entered therein the several particulars above

The police magistrate to issue a summons for parties to appear before him, and shall keep a book for entering the names of the parties having under their charge alien children.

SIERRA LEONE.

Penalty for not appearing to summons.

named, in manner and form required by this ordinance, according to Schedule A, hereunto annexed. And in default of appearing to the said summons, where a summons is in the first instance issued, upon due proof of the service thereof, and of the possession of such child, a warrant shall then be issued for the apprehension of such person or persons, who shall, unless such police magistrate is satisfied of his or their being unable to attend the said summons, be committed to the common gaol or house of correction for any period not exceeding six calendar months, with or without hard labour, at the discretion of the said magistrate.

Persons to sign their names in the register, and the police magistrate to deliver a certificate to them of the due registration of such child.

II. And be it enacted, that after such entry has been duly made in the said register, the person so appearing before the police magistrate shall sign his name thereto according to the form marked in the said schedule, and the police magistrate shall deliver to such person a certificate signed under his hand and seal of office of the due registration of such child according to the form in Schedule B, hereunto annexed.

Persons not summoned to appear after the expiration of one calendar month to go to the police office, in the same manner as if he had been summoned.

Penalty.

III. And be it enacted, that all persons within the said colony, having the care and custody of any alien child, who shall not have been served with a summons as aforesaid within the period of one calendar month from the passing of this ordinance, shall then immediately proceed to the police office and appear before the police magistrate in the same manner as if he had been served with such summons, and make the same declaration, and attach his signature thereto, and, if satisfactory, he shall receive a similar certificate of the due registration thereof; and in default of appearance after the expiration of one calendar month from and after the passing of this ordinance, such persons shall, upon due proof of the possession of such child, be brought up by warrant and committed to the common gaol or house of correction for any period not exceeding six calendar months, with or without hard labour, at the discretion of the said magistrate.

Persons bringing alien children into the colony to appear at the police office within 24 hours after arrival.

In default to be committed.

IV. And be it enacted, that from and after the passing of this ordinance, any person who shall bring into the colony any alien child under twenty-one years of age shall, within twenty-four hours after his arrival, proceed to the police office and appear before the police magistrate, and give him the necessary particulars required by the first and second sections of this ordinance, and the said police magistrate shall in like manner enter the same into his register in the form prescribed, and shall also deliver unto such person the certificate of the due registration of such child; and in default of appearing before the police magistrate within the time before named, such persons shall be brought up by warrant and committed to the common gaol or house of correction for any period not exceeding six calendar months, with or without hard labour, at the discretion of the said magistrate, unless the magistrate shall be satisfied of their having been unable to appear before him within the said time.

Precautions to be used by housekeepers and others in receiving alien children.

Penalty for harbouring them.

V. And be it enacted, that upon any person applying to be received in any house, lodging house, or dwelling of any inhabitant of this colony, bringing with him any alien child under twenty-one years of age, such inhabitant, before receiving such person or child, shall strictly inquire of him whether such person is furnished with a certificate of the due registration of such child, and require the same to be produced to him, and upon the production thereof such inhabitant shall forthwith proceed to the police office with the parties and ascertain the correctness of such certificate; and if any inhabitant shall receive into his house, lodging-house, or dwelling, any such child without having so satisfied himself, or shall neglect any of the precautions herein required, and shall be found to have knowingly harboured any such child, he shall, on due proof thereof, before the police magistrate, forfeit and pay for every such child so harboured a sum not exceeding twenty pounds, at the discretion of the police magistrate, and in default of payment shall be committed to the common gaol or house of correction for any period not exceeding six calendar months, with or without hard labour, at the discretion of the said magistrate.

Alien child and certificate of registration to be produced when required.

Penalty upon default.

VI. And be it enacted, that it shall be lawful for the police magistrate, any justice of the peace, or the superintendent of police, to ask and demand, when required, at convenient times, the production of any alien child from the person or persons who may have caused such child to be registered, and also the production of the certificate of registration; and in default thereof such person or persons shall, on conviction thereof before the police magistrate, be committed to the common gaol or house of correction for any period not exceeding six calendar months, with or without hard labour, at the discretion of the said magistrate.

Change of residence, death, or departure from the colony to be communicated to the police magistrate.

Penalty upon default.

VII. And be it enacted, that upon the change of residence or death of any such alien child which shall have been registered under this ordinance, or upon the departure or removal of such child from the colony, the person who has signed such register and obtained a certificate of the registration thereof, shall immediately communicate the same to the police magistrate, for the purpose of noting it in the register, and granting a new certificate to such person if necessary; and in default thereof, upon conviction before such magistrate, such person shall be committed to the common gaol or house of correction for any period not exceeding six calendar months, with or without hard labour, at the discretion of the said magistrate.

Doubtful or suspicious case, or child being of tender age, magistrate to take charge

VIII. And be it enacted, that upon any such alien child being brought before the police magistrate for registration, if upon inquiring into the case it should appear to him to be doubtful or suspicious, or in the event of any alien child being of such tender age as to be unable to give satisfactory replies to the inquiries necessary to be made, then and in such cases such magistrate shall, and he is hereby authorized and empowered to take

charge of such child, and shall hold the person or persons producing such child to bail, himself or themselves, in the sum of forty pounds each respectively, with two sufficient sureties in the sum of twenty pounds each, to answer any charge which may be preferred against him or them in respect thereof at the next general quarter sessions of the peace, and of oyer and terminer and general gaol delivery.

Power of and hold parties to bail.

IX. And be it enacted, that it shall be lawful for any justice of the peace, and he is hereby authorized and empowered, in the absence or inability of the police magistrate, at any time to attend at the police office, to hear and determine in his stead all offences committed contrary to the provisions of this ordinance.

Any justice of the peace to act in the absence of police magistrate.

X. And be it enacted, that in the interpretation of this ordinance, words denoting the masculine gender shall include females as well as males, and words denoting the singular number shall include two or more persons or things as well as one person or things, and words importing the plural only shall include the singular.

Interpretation of terms.

XI. And be it enacted, that this ordinance shall commence and take effect immediately upon the passing thereof: provided always, that until Her Majesty's pleasure be known, no imprisonment by virtue of this ordinance shall exceed the term of three calendar months.

Commencement of ordinance.

A. E. KENNEDY,
Governor.

Passed in the Legislative Council, this seventh day of December, in the year of our Lord one thousand eight hundred and fifty-three.

FRED. P. BARLEE,
Clerk of Council.

SCHEDULE A.

REGISTER of ALIEN CHILDREN brought into the Colony of Sierra Leone (under an Ordinance passed the 7th December 1853).

Number of Certificate.	Name of Alien Child.	Age.	Sex.	Nation.	With whom residing.	Name and Residence of Parents.	Name and Residence of Persons bringing such Child.	For what purpose brought.	Signature of Parties.

SCHEDULE B.

No. Certificate.

Sierra Leone,

THESE are to certify that has brought into the Colony an Alien Child (Male or Female) named from for the purpose of , and that due entry thereof has been made in the Register kept in accordance with the Ordinance passed on the 7th day of December 1853.

Given under my Hand and Seal of Office, at Freetown this day of 1853.

A. B.
Police Magistrate.

SIERRA LEONE.

No. 6.

No. 6.

Copy of a DESPATCH from Governor KENNEDY to the Duke of NEWCASTLE.

(No. 234.) Government House, Sierra Leone, December 10, 1853.

(Received January 9, 1854.)

MY LORD DUKE, (Answered, No. 130, January 16, 1854, p. 38.)

REFERRING to my Despatch, No. 231, dated 9th December 1853, I have the honour to enclose the statements of five out of seven slave children recovered by me within a few days in the western part of this colony.

Two of the number were taken from a person named "Pope," who was head constable to Mr. Crowley, late manager at Waterloo, and of course in public pay.

Though the whole seven children are undoubtedly slaves, and I have retained them as such, there is, I regret to say, insufficient legal evidence to convict any party as yet in custody.

I also enclose depositions (before the police magistrate) of "Thomas Thorpe Libert," one of the agents of the most extensive merchants in this colony, relative to a woman named "Sally Hughes," and three children carried away from this colony and sold as slaves. I have already adopted measures to trace out and liberate these persons, to attain which object your Grace may be assured I will spare no effort.

My immediate object in transmitting these statements and depositions is to satisfy your Grace that I have not introduced and the Council have not passed the "Ordinance for the better protection of alien children" without a pressing necessity for a like measure.

I have, &c.

The Duke of Newcastle, &c. &c. &c.

(Signed) A. E. KENNEDY, Governor.

Encl. 1 in No. 6.

Enclosure 1 in No. 6.

Police Court, Freetown, November 17, 1853.

Sierra Leone to wit.—The information and complaint of Thomas Thorpe Libert, trader of this colony, taken on oath this day before me, Robert Armstrong, Police Magistrate for this colony, who saith: I am a trader of this colony. When at a town called Berieree, in the Fouricaree river, about six months ago, a young black woman, called Sally Hughes, brought some ground nuts to my factory for sale. She informed me that they belonged to her master, Sourie Fooda, who is a brother of one of the chief men of the town. A woman named Catherine Williams, who was then living with me, first brought Sally Hughes to my notice as a native of Sierra Leone. I called Sally Hughes, and in answer to my inquiries she stated that she was born in Sierra Leone, where her father, Peter Hughes, resided. That when a little girl she suffered from pains in her feet, and that she had been then sent over to Bullom for treatment and country medicine; that from Bullom she was conveyed to Berieree, where she was sold as a slave. She called Sourie Fooda her master, but she did not say that he had first bought her. She complained to me of much ill-usage, and said that she had made several attempts to get away to Sierra Leone, but that her master had chased and prevented her escape. She spoke to me in English, and seemed very desirous to make known her grievances, but the presence of her master, who was close to us, would not allow longer conversation. My wife, who was present, told Sally Hughes that if she could spare time and call on her she would gladly give her some necessaries. Catherine Williams, before mentioned, was then living as a servant with our family, and was well acquainted with Sally Hughes.

About five months ago I was informed at Berieree that a Foulah man had brought three children to be bartered for cows. I went to his house, and there saw two little boys and a girl. The little girl, who appeared to be about six years old, spoke English, and told me that the Foulah man had stolen and carried her, with the two boys, from Freetown, Sierra Leone. That he had placed his hands on her mouth, and by force carried her to a canoe, in which they were all conveyed to Berieree.

The Foulah man did not offer to sell the children to me, but I heard that he was very anxious to get rid of them in barter: "Say nine cows and two sheep for each child." I told the Foulah man that he had acted in a very improper manner by stealing the children from Sierra Leone, and that if I had any proper assistance I would seize and send him to

Freetown. I could not rely on the aid of any person at Berieree, and the Foulah man seemed aware of this.

The little girl complained of sickness, and I gave her some sugar. On the following day she was carried off, with the two boys, by the Foulah man from Brieree. I cannot say to what place they were taken. I have not since seen or heard of them.

The Foulah man was accompanied by a black man, a native of Sierra Leone. Both spoke English; the latter told me he was born in Sierra Leone, but refused to tell his name. I told the Sierra Leone man that he must well know that he was doing wrong in offering the children for sale. He shrugged up his shoulders, and replied that he did not care about the consequences.

(Signed) THOS. T. LIBERT.

Taken before me on oath, at Freetown aforesaid, the day and year before mentioned,

(Signed) ROBERT ARMSTRONG,
Police Magistrate.

Freetown, Sierra Leone, November 29, 1853.

ELIZA or MANNA, a Sherbro girl, about seventeen years of age (taken from Mary Cole's house at York), states:—I was born in a town called Marfaryong, in the Sherbro country. Myself, my mother, and all my relations were caught in a war. Several Mandingo men were among the warriors who caught us. We were afterwards distributed among the Mandingo men. I have not seen any of my relations since. I was brought to York by a man called Manell, a brother of the Mandingo man into whose hands I fell. I remained at York above one year before Captain Terry took charge as manager of the village. The man Manell left me in charge of Mrs. Mary Cole, his countrywoman. He returned to the Sherbro country. I was lately informed that he is dead. I remained with Mrs. Cole from that period until about five days ago, when I saw a constable and two Mandingo men come to the house and took me to the manager. The manager sent me, with four other children, to Waterloo, from which place we were brought to Freetown.

Freetown, Sierra Leone, November 29, 1853.

STATEMENTS of a boy and a girl called Moses or Tambaboo, and Mary Ann or Boye, taken from Mr. Pope's house, overseer at Campbell Town.

MOSES or TAMBABOO, a Kusso boy about ten years of age, states:—I was born in the Kusso country. The town in which I lived was taken by war; I cannot recollect how long ago. My father, mother, and self, besides several other persons belonging to the town, were caught as prisoners of war, and made slaves. My father effected his escape, but was caught shortly after. I saw when his hands were tied behind his back, and led away by the warriors. I was carried a few days after on the back of one of the warriors to the Timmanee country, and was there sold to a Sosoo man, with whom I remained for a long time, and I learned to speak the Timmanee language. The Sosoo man to whom I was sold took me lower down the country, and left me with his countryman, Ansumana. One of Ansumana's relatives murdered a Timmanee man at a small town near to the town where I was; and, in settling the palaver, Ansumana gave eight iron pots and myself to "Pa Horney" in payment on account of his relation. "Pa Horney" delivered me to a man called "Pa Cammar" Yerrey, whom he said was his brother. He lived at another little town. I was some time at this place before seeing Mrs. Pope. The day previous to her coming to the town I saw Pa Horney having a long conversation with Pa Camma Yerrey. I was delivered to Mrs. Pope by Pa Camma Yerrey. Mrs. Pope promised to make a handsome shirt for me. She gave me in charge of a Congo man, who brought me to Waterloo the following day. She followed the next day and met me in her house, where I saw her husband, Mr. Pope. I cannot tell how long ago it is since I was taken to Waterloo. I know that I was there a long while before the last Christmas—the only Christmas day I ever knew. I do not remember seeing Mr. Pope in the Timmanee country; I only saw his wife. I was afterwards removed by Mr. and Mrs. Pope to Campbell Town; and about five days ago I saw two constables and a Mandingo man come to the house. They took me from the house, and I went with them to the manager at Waterloo. On Sunday last myself, with six other children, were brought to Freetown, and taken to the police office. We were afterwards taken to Mr. Thomas George Lawson's house.

MARY ANN or BOYE, a little girl about six years of age, states:—I was born in a country far from this. There are many Kusso, Sherbro, and Timmanee people in that country. My father is a Kusso man; his name is Farmer. A man called Sye came to the town. He took me to another town called Deebee Tahben (situated on the Kates river), and delivered me to a man called "Par Bang." "Par Bang" gave me to Mrs. Pope. Mrs. Pope took me with her to Waterloo. Mrs. Pope told me that she brought me to take care of. I was afterwards removed to Campbell Town. On Saturday three persons came to the house and took me to the manager at Waterloo; and on Sunday last myself and other children, were brought to Freetown.

SIERRA LEONE.

Freetown, Sierra Leone, November 29, 1853.

STATEMENTS of two Girls, Susannah or Kye, and Rebecca, taken from Hannah Williams, at York.

SUSANNAH or KYE, a Kusso girl about fifteen years of age, states:—I was born in the Kusso country in a town called Mabomar. The town was taken by war and destroyed by fire. Myself and relatives made our escape to another place. At this place my eldest brother credited some country cloths from a man, and to pay for which my brother and my mother's brother gave in pawn to another man from whom they obtained a slave. The slave girl was given to the man in payment for the country cloths. The man to whom I was put in pawn having waited a long time on my brother, who did not redeem me, took me down the river to the Sherbro country, and there sold me to a Sierra Leone young man named William, the son of a woman living at York. Her name is Obba, or Hannah Williams. I was brought to York by a young woman called Nancy. She lives with William who bought me. My value was paid in tobacco. I was brought to York in the dry season of last year. I remained at York until about five days ago, when I saw two Mandigo men (one of them named Mahomado) come to the house, and they took myself and another little girl (at present at Mr. Thomas George Lawson's house in Freetown), to the manager at York. From York we were taken to Waterloo, and from thence to Freetown.

REBECCA, a little girl about six years of age, states:—I do not know the name of the country in which I was born. I was taken from the Sherbro country to York by a man whose name I do not know. I was taken by the same man to Mamee Obba's (Hannah Williams) house. I was told that I was brought to be "raised." Whether I was sold or not I do not know.

Freetown, Sierra Leone, November 29, 1853.

STATEMENTS of a Boy and a Girl called George or Sasay, and Elizabeth or Layee, who were taken from Mrs. Sally Smith's house at York.

GEORGE or SASAY, a boy about eleven years of age, states:—I was born in Bompeh. I do not know whether it is in the Kusso or Sherbro country. When very young I was put into a canoe with rice by a Mandingo man, who brought me to York and delivered me to the late William Smith, a Mandingo blacksmith, who resided at York. I cannot tell whether I was sold to him or not. I do not know, nor do I recollect how long ago it is since I was taken to York. I was delivered to Mr. Smith before he married to his wife Mrs. Sally Smith. After the death of Mr. Smith I was left in the care of Mrs. Sally Smith, from whose house I was taken (about five days ago) to the manager, who sent me to Waterloo, and from Waterloo I was brought to Freetown.

ELIZABETH or LAYEE, a Kusso girl about ten years of age, states:—I was born in the Kusso country in a town called Bandee. War destroyed the town. Myself, my father, two sisters, two brothers, and several other persons belonging to the town were caught as prisoners of war and made slaves. The father of the man who caught me exchanged me for a girl of my size. The man who gave the girl in exchange for me sold me to a Mandingo man. The Mandingo man brought me to York and bid me remain with the late William Smith (a Mandingo blacksmith, whom he said was his brother,) until he returned from Freetown, as he intended to go there. I have never seen the Mandingo man since. The blacksmith then brought me to his wife, Mrs. Sally Smith, with whom I remained until about four or five days ago, when I was taken to the manager, Mr. Palmer, who sent me with four other children to Waterloo, and from Waterloo we were brought to Freetown.

No. 7.

No. 7.

COPY of a DESPATCH from Governor KENNEDY to the Duke of NEWCASTLE.

(No. 14.)

Government House, Sierra Leone, January 12, 1854.

(Received February 13, 1854.)

MY LORD DUKE,

HEREWITH I have the honour to transmit a "Calendar of prisoners tried "at the General Quarter Sessions, held on the 29th, 30th, and 31st days of "December 1853, and on the 3d, 4th, and 5th days of January 1854."

2. Considering the number and character of the population of this colony, your Grace will not be of opinion that any lengthened comments are called for.

3. On a reference to my Despatch, No. 193, dated 20th October 1853, your Grace will observe that Nos. 1, 2, and 3, in the present calendar were cases postponed from the September sessions; and your Grace will further observe

that No. 1 was acquitted, and the jury discharged without giving a verdict in the 3d case, that of "Cearay Karaukey." There were nine jurors for conviction, and three for acquittal, and after being locked up for, I believe twenty hours, the jury was discharged. A perusal of the judge's notes, and the depositions before the police magistrate, will enable your Grace to judge how far the verdicts are in accordance with the evidence.

The whole of these three (Nos. 1, 2, and 3, in calendar,) are persons of considerable local influence. In the case of No. 2, Rosanna Barnett, a "nolle prosequi," was entered by the Queen's Advocate, the principal witness having absented himself from this colony.

4. Though for the reasons stated in the 6th paragraph of my Despatch, No. 193, 20th October 1853, I had no expectation of obtaining verdicts against these parties, on consultation with the Queen's Advocate he thought it desirable to put them on their trial, to obviate the imputation of either fear or favour on the part of the executive.

5. I have little to add to what I have formerly stated on this painful subject.

6. No 15 in the calendar, William Pope, deserves some notice. This man was for many years, and up to the time of his committal, employed as head constable or overseer in the 2d eastern district under Mr. Crowley, the late manager; that he and his wife have been long in the habit of buying, selling, and using slaves on a farm in the immediate neighbourhood of Waterloo, I cannot doubt.

I have of course dismissed him from the public service.

7. It will be satisfactory to your Grace to know that five of the children these persons were alleged to have bought or sold are in my possession; that I have passed them in the usual manner through the Liberated African Department, and that no attempt has been made to establish a claim to them, by the persons from whom they were taken.

I need scarcely add, that though Mr. Crowley appears to have been aware of Pope's slave dealing, he never mentioned the matter to me.

I have, &c.

(Signed) A. E. KENNEDY,
Governor.

The Duke of Newcastle,
&c. &c. &c.

Enclosure 1 in No. 7.

EXTRACT from the Calendar of Prisoners tried at the General Quarter Sessions of the Peace and Commission of Oyer and Terminer and General Gaol Delivery for the Colony of Sierra Leone and the Dependencies thereof, holden on the 28th, 29th, 30th, and 31st days of December, in the Year of our Lord 1853, and on the 3d, 4th, and 5th days of January, in the Year of our Lord 1854.

No.	Names.	Crimes.	Bills found or not.	Pleas.	Verdict.	Sentences.	Remarks.
1	Phœbe George	Slave-dealing	Found	Not guilty	Not guilty		Discharged.
2	Rosanna Barnett	Slave-dealing	Found				Nolle prosequi entered by Queen's Advocate, in consequence of the absence of a material witness.
3	Cearey Karankay, otherwise called Fatimah.	Slave-dealing	Found	Not guilty			No verdict. Jury discharged after having been about twenty hours deliberating.
*	*	*	*	*	*	*	*
15	William Pope	Slave-dealing	Not found				Discharged.

JOHN CARR,
Chief Justice.

Crown Office, Freetown, Sierra Leone, January 9, 1854.

W. H. MEHEME, Clerk of the Crown.

No. 8.

EXTRACT of a DESPATCH from Governor KENNEDY to the Duke of NEWCASTLE.

Government House, Sierra Leone,
(No. 31.) February 10, 1854.
(Received March 4, 1854.)
(Answered, No. 157, March 22, 1854, page 40.)

"THE accompanying memorial reached me on the 21st January 1854, at seven o'clock p.m., public notice having been regularly issued that the mail for England would close at eight o'clock p.m. the same evening. Your Grace will, I feel assured, deem this (without adducing others) sufficient reason for the non-transmission of this document by the last mail.

"The writer and many of the memorialists are fully aware of the printed and published rule relative to the transmission of such documents, and I therefore infer that the object in view was to have it transmitted to your Grace without explanation or comment from me.

"Though this memorial is ostensibly directed against two local Ordinances, (transmitted for your Grace's approval in my Despatches, Nos. 220* and 231,* dated 1st and 9th December 1853), your Grace will, on perusal, observe that it is in reality personally directed against myself.

* Pages 15 and 19.

"In remarking upon this memorial at some length, it is with the view of saving your Grace future trouble, by showing on what grounds, by whom, by what means, and for what purposes documents of this kind are procured among a certain class in this colony.

"I have had this document printed, to afford your Grace more easy reference, and I have also numbered the paragraphs to the same end.

"I will first advert to the Jury Bill. Your Grace will observe that there is no specific objection alleged in the memorial against this Bill. If the objections be supposed to be directed against the main provisions of the Ordinance, namely, the abolition of the grand jury, and the qualification of jurors (sections 1 and 6), my answer is simply as follows:—

"1st. The colony does not possess the class of persons usually summoned as grand jurors in England.

"2d. That the institution is unsuited to the colony, and is the means whereby persons connected with or having influence over those likely to be summoned as grand jurors, hope to escape from justice and publicity.

"3d. Though I have received your Grace's sanction for the introduction of such a measure, I am quite ready, having recommended it, to undertake the full responsibility of it. Your Grace will, however, find it recorded on the minutes, that the abolition of the grand jury was discussed and recommended in Council before I assumed the government of this colony; and lastly, I would remark that the institution has been condemned by many eminent jurists, and has been abolished in several of Her Majesty's colonies, where the population are more enlightened than the present memorialists, the great majority of whom cannot read or write.

"That it is opposed to the principle of open and responsible administration of justice, and that, in this colony it has been a means whereby notorious villains escaped from punishment, witnesses tampered with, and perjury committed without fear of detection—a vehicle of extortion and means of oppression.

"If the objections be supposed to be directed against the qualifications of jurors (section 6), my reply is,—

"1st. That the qualification given by the Ordinance is similar to the qualification required for jurors in England, as will be seen by comparing clause 6 of the Ordinance with the 1st section of the 6th Geo. 4. c. 50., being the Jury Act in force in England.

"2d. That no real ground of complaint can exist where liberated Africans (who understand English but imperfectly) are put on the same footing with Englishmen in this respect.

"3d. That by the charter of the colony, only the "principal inhabitants of the colony" were to be summoned as jurors in the Courts, but the provisions of the charter have in this respect been disregarded by the different sheriffs, who are annual officers without salary; that pedlars, hawkers, and other unfit persons

SIERRA LEONE.

are oftentimes summoned as jurors, and that the qualification clause will remedy this evil.

"4th. That the Ordinance was framed by the Chief Justice at my request; that it passed the Board of Council unanimously, and that they consider the measure essential for a due administration of justice in the colony.

"It would be an unnecessary waste of time to offer further comment upon this Ordinance than to refer your Grace to my Despatch, No. 220, 1st December 1853.

"8. With reference to the "Alien Children's Act," I would beg to refer your Grace to my Despatch, No. 231, December 9, 1853, transmitting this Ordinance for confirmation, in addition to which I would offer the following brief remarks:—

"1st. The ordinance was passed for the protection of alien children brought into the colony, and became necessary from the facts which came out in evidence on the slave trials during the past year.

"2d. That the notes of the Chief Justice in these slave cases (already transmitted to your Grace) clearly show that the colony has of late years been made a depôt or mart for the sale of children, by Mahomedan slave dealers and others.

"3d. That the memorialists themselves admit (paragraph 5) that the Mahomedans (a numerous class) in the colony do not regard slave dealing with detestation, and that some of these persons have been properly convicted for the abduction of children from the colony. These admissions, in connexion with the facts brought to light on these trials, fully prove the necessity of an Ordinance such as the one under consideration, to prevent the colony being made a depôt or mart for Mahomedan slave dealers and others.

"4th. It is also alleged by the memorialists "that free African children of free "African parents residing in the neighbouring territories are placed, in accord- "ance with long usage, under the guardianship of their friends or connexions "in the colony, for the purpose of education and training in useful occupation." If this be so, and where this is bonâ fide the case, there can be no hardship in being required to register such children; and if the practice as alleged exists to any extent, the greater is the necessity that all such children should be registered, to distinguish the innocent from the guilty; to enable the Government to ascertain the truth of such allegations, and to prevent the introduction of children into the colony for the purpose of being dealt with as slaves, under the pretext that they are "free African children of free African parents." The allegation of the memorialists is, however, notoriously untrue. There is no such class of children being "educated," or "taught useful occupation," beyond those of a mere domestic drudge or slave, fed and treated like a lower animal.

"5th. That the children brought into the colony for sale are very young, and have no idea of their rights, and are therefore entitled to the protection afforded them by the Ordinance.

"6th. That the common juries in late cases have shown a disposition to disbelieve Mahomedan witnesses where brought forward to give evidence against liberated Africans and others; and hence it has become more difficult to convict such persons, inasmuch as only Mahomedans would be called by their countrymen to "witness" such sales according to their country customs.

"Having, I trust, satisfied your Grace that I do not shrink from a free and open discussion of the two Ordinances under notice upon their merits, I will proceed to dispose of those parts of the memorial directed personally against myself, and your Grace may rest assured that could any further "facts" be adduced by the memorialists disparaging to my private character or public policy, they would have found a place in the memorial.

"With reference to the first paragraph of the memorial, it would doubtless have been satisfactory to your Grace had the memorialists specified the "measures adopted by me in the colony, which they conscientiously believe "to be obstructive and detrimental to commerce, subversive of constitutional "liberty, inimical to the maintenance and promotion of religion and morality, "and to the general prosperity and happiness of the inhabitants."

"I have kept your Grace, I fear, too minutely informed of all and every "measure" I have adopted, and, in the absence of any specific allegation, I must submit them to your Grace's judgment.

* * * *

"The printed papers adverted to in the third paragraph are "papers "relative to the right of liberated Africans, and the prevention of slave dealing "at Sierra Leone, presented to Parliament 12th August 1853," and to which I would beg a reference generally in connexion with this subject.

"The memorialists seem to think it a reproach to me that I recommended the enactment of the "Act to remove Doubts as to the Rights of the liberated Africans in Sierra Leone." Your Grace is aware that whatever merit or demerit may attach to my conduct in this particular, the question was (as your Grace will observe on reference to the printed papers above adverted to) raised, discussed and corresponded about before I assumed the government of the colony. The "affections of the people" means, of course, the affection of the memorialists and I can assure your Grace that (with the exception of the illiterate and uneducated persons whose names are attached, and who never read, and could not comprehend the memorial if read to them,) the loss of their affection would be of little moment to any Government.

"With reference to the "insidious surveillance, and the outrages which "have been recently committed and countenanced by the Executive in wresting "free African children, residents in the colony, from their parents, relations, "and friends," &c., as stated in the fourth paragraph of the memorial, it will appear obvious to your Grace that were there a shadow of foundation for such a statement, an appeal to the law and the courts would be the proper course. None such has been made, and I may safely assert none will be made.

"The following are the facts which have furnished material for this paragraph. In the calendar of prisoners tried, &c. at the Sessions of December 1853 (No. 2 in the calendar), it will be observed that a nolle prosequi was entered in the case of "Rosanna Barnett," against whom bills were found by the grand jury, the principal evidence against her having disappeared from the colony. Mr. J. P. Kidd, an European trader (and one of the memorialists), stood bail for this woman. The child taken from her is notoriously a slave, and can speak for itself; it had been most cruelly and inhumanely treated by this woman. She has not since attempted to lay lawful claim to or make application for the child.

"In only one instance out of about 146 children recovered or taken from slavery has any such application been made. A man and woman from a neighbouring territory were brought to claim the parentage of a child taken from a liberated African trader. The child utterly disclaimed all knowledge or connexion with them; they did not even speak the same language. Their story was so palpably untrue, that when sent to make depositions on oath before the magistrate they immediately absconded from the colony.

"The "domiciliary" visits of Mahomedan "emissaries," &c. exist in the writer's imagination. The law, if appealed to, will protect the memorialists should such occur.

"Paragraph 5 states that the memorialists view with deep detestation the buying or bartering of slaves. Many of their names are, however, on public record as having been long notoriously connected with slave dealers, and having held such themselves. The chairman of the meeting signed the memorial on the 21st January, and on the 25th of the same month he was compelled, in accordance with the 3d section of the Act he memorials against, to register four alien children, a copy of which register I transmit herewith. It is for your Grace to consider in how far this register is satisfactory. Under the head "Name and Residence of Parents," in the case of the child named "Conah,' nine years old, your Grace will observe the following far from satisfactory entry: "Father dead; mother's name not known;" residence "Sherbro!" "Western Africa" would have been quite as explicit for all purposes of identification and inquiry. As I may have occasion for further communication on this subject, I deem further comment for the present unnecessary.

"The sixth paragraph is simply untrue. At no period has the trade with neighbouring countries to the colony been so extensive, and our relations with the several chiefs been so pacific and satisfactory. "Callu Mahdoo," chief of Madina, the only one this Government has had a difference with, (and whose case is detailed at page 23 of Papers relative to the rights of liberated Africans, &c., presented to Parliament on the 12th August 1853,) lately paid me a voluntary and friendly visit, and remained some days. He frankly acknowledged his wrong, and offered me his services in any way I might require them for the suppression of the slave trade.

SIERRA LEONE.

" In the letter addressed to your Grace, dated 21st January 1854, and accompanying this memorial, Mr. Ezzidio is made to say that "From the date " of the meeting and that of the departure of the mail, your Grace will per- " ceive in how short a time the names of the memorialists have been subscribed, " and many hundreds have been prevented from adding their names to the " number," &c. It is difficult to deal with persons so regardless of truth. Mr. Ezzidio desires to convey to your Grace that all these people whose names are attached to the memorial attended the meeting and there signed. This is wholly untrue. One half the number did not attend the meeting and not one signed there.

" Your Grace will observe that the original memorial, which I transmit, is formed of separate half sheets and taped together. These sheets were carried about by as many different persons for a fortnight before the meeting; this is sufficiently indicated by the various degrees of cleanliness and different paper of the sheets containing the names.

" Your Grace will observe that a great portion of the names attached are those of persons who cannot read or write, whilst in many places in the list of names (which I have marked) whole batches of signatures are written by the same hand, the great majority of which are done by the writer and composer of the memorial, whose versatility of talent in assuming different styles of writing and other people's names has too frequently come under my notice.

" Your Grace will observe from the letter of Mr. Lynch (certainly the most respectable name originally attached to the memorial) that he signed his name on the sheet without seeing the memorial, and disclaims the sentiments it contains. * * * * *

" There is an unhappy notoriety about the manner and purposes for which memorials have been got up in this colony by a few characterless Europeans working upon the ignorance or credulity of a quiet, contented and orderly people. The same names are attached to all, and with a view of giving them their due weight, I will forward herewith whatever may be on public record, or be publicly known of the characters and antecedents of the promoters of this memorial, which will enable your Grace to estimate its importance, and to account for the memorialists' disapproval of my "policy."

" Before concluding, I would simply observe, that with reference to the alarming and dreary picture drawn by the memorialists of the present state and future prospects of the colony; we are on terms of peace and amity with all neighbouring chiefs without exception; the customs receipts of 1853 have exceeded those of 1852 by 2,000*l.*; the trade from and to the Sherbro (the result of my "policy" there) has quadrupled, and there was on the 28th January 1854 a balance (over and above all liabilities) of 5,609*l.* 19*s.* in the colonial chest."

Encl. 1 in No. 8.

Enclosure 1 in No. 8.

SIR, Freetown, Sierra Leone, January 21, 1854.

I HAVE the honour, as chairman at a public meeting held yesterday in this city, to forward to your Excellency the accompanying Memorial to his Grace the Duke of Newcastle, Her Majesty's Principal Secretary of State for the Colonies, praying for the disallowance by Her Majesty of the two ordinances recently passed by your Excellency and the Council with reference to Juries and Jurors, and the protection of alien children within this colony.

And I have respectfully to request, in behalf of the memorialists, that your Excellency will transmit the same to his Grace by the mail packet about leaving for England.

I have, &c.

His Excellency Governor Kennedy, &c. &c. &c.

(Signed) JOHN EZZIDIO, Chairman.

Encl. 2 in No. 8.

Enclosure 2 in No. 8.

MY LORD DUKE, Freetown, Sierra Leone, January 21, 1854.

MAY it please your Grace, I have the honour, as chairman at a public meeting held in the city of Freetown, in this colony, only yesterday the 20th instant (of which I enclose the public notice), to transmit for your Grace's consideration the accompanying memorial praying for the disallowance by Her Majesty of two ordinances recently passed

by the Governor and Council "to amend the Laws relative to Jurors and Juries," and "for the better Protection of Alien Children within the Colony."

From the date of the meeting and that of the departure of the mail, your Grace will perceive in how short a time the names of the memorialists have been subscribed, and many hundreds have been prevented from adding their names to the number. Such, however, is the general feeling in the colony on the subject, regarded in connexion with the policy of the present local government, that your Grace, I apprehend, is likely to receive greater evidence of unanimity upon this and other questions than the memorial itself for the reasons stated may appear to indicate

I have, &c.

The Duke of Newcastle, &c. &c. &c.

(Signed) JOHN EZZIDIO, Chairman.

Enclosure 3 in No. 8.

Encl. 3 in No. 8.

To his Grace the Duke of Newcastle, Her Majesty's Principal Secretary of State for the Colonies, &c. &c. &c.

The Memorial of the undersigned Citizens of Freetown and Inhabitants of the Colony of Sierra Leone,

Humbly showeth,

1. THAT your Memorialists, whose number includes many of Her Majesty's subjects in the colony whose interests are most deeply interwoven with and dependent upon its advancement and general welfare, and who respectfully claim for themselves the capacity, as well as the privilege of exercising their judgment upon the policy of its government, have for some time past viewed with the deepest regret the adoption of measures by the present Executive which they conscientiously believe to be obstructive and detrimental to its commerce, subversive of constitutional Liberty, inimical to the maintenance and promotion of religion and morality, and to the general prosperity and happiness of its inhabitants.

2. That your memorialists, whilst viewing with anxiety and alarm the development and mischievous tendency of such a policy in all its bearings (immediate and prospective), and which have already extended its influence far beyond the limits of the Colony, have recently had their attention diverted from contemplating the consequences of its general application, to the promulgation of two new laws or ordinances which have been passed by the Governor and Council, the one intituled "An Ordinance to amend the Laws relative to Jurors and Juries," and the other "for the better Protection of the Alien Children within the Colony of Sierra Leone."

3. That your memorialists, in presuming to crave your Grace's attention to the spirit and purpose of these Ordinances, have enlisted their most deliberate and dispassionate judgment in attempting to trace and determine from evidence, which is not now to be mistaken, the motives which have dictated the framing of such enactments; and associating those motives, and the results which your memorialists verily believe must ensue if they are not counteracted, with the excitement which is now spreading over the colony on account of much of the matter contained in the printed "papers" which have recently reached the colony "relative to the rights of liberated Africans," and especially in regard to their being British subjects, they cannot but view the passing of the two Acts or Ordinances in question as most impolitic and dangerous, a reproach upon the intelligence and loyalty of the community at large, and, with the current proceedings of the Local Government, calculated to alienate the affections of the people from the British Crown, and to repress all confidence in British protection.

4. That although these two Acts or Ordinances are dissimilar in their titles and enactments, and ostensibly remote in their intended application, they are designed to be essentially and directly co-operative in effect. And that effect your memorialists, speaking advisedly and with all due respect, cannot recognize in any other light as regards the "Alien Children's Act," on the one hand, than an aggravated continuance and extension of an insidious surveillance, of which your memorialists are prepared to adduce irrefragable proofs, and of the outrages which have been recently committed and countenanced by the Executive in wresting free African children resident in the Colony from their parents, relations, and friends, upon the plausible plea, unsupported by proof, of their being "purchased slaves," and retaining such children in custody after failure of conviction, and in some instances without adjudication; and on the other hand as regards the "Jurors and Juries Act," the more effectively to secure convictions in such and other cases, that by such convictions, such aggressions past and future, and the domiciliary visits in a Christian colony of Mahomedan emissaries employed or encouraged by the Government, may be made to appear expedient and justifiable.

5. That your memorialists view with as deep a sense of detestation as any of the sincerest friends of Africa the buying or bartering of or for slaves, or any act or acts which may directly or indirectly lead to or constitute a state of slavery; and your memorialists not only conscientiously believe that this feeling pervades the whole located population of the colony, with the exception only of the Mahomedans, but that a rigid and impartial

SIERRA LEONE.

investigation into all the facts which have recently led to and become identified with the several convictions of persons for "Slave dealing" would serve to establish the truth of their statements, and to develope circumstances which would further establish the difference betwixt such convictions for the abduction of children from the colony by petty Mahomedan traders, and the "slave dealing" within the colony attempted to be proved upon no other substantial grounds than that free African children of free African parents residing in the neighbouring territories are placed, in accordance with long usage, under the guardianship of their friends or connexions in the colony for the purpose of education and training in useful occupations.

6. That such a custom your memorialists verily believe, and in many instances know, to have been productive of great benefit, by the introduction of improved capacities with the English language into the interior on the return of such children to their parents, which is generally a stipulated condition; and that the seizure and retaining in custody such children by the Government without either the conviction or adjudication of their guardians upon the charge of holding them as "slaves," and in defiance (in some instances) of earnest entreaties made by their parents or relations who have come to the colony to demand their restitution, has had a most serious effect upon the direct trade from the neighbouring countries to the colony, which being more a commercial depôt than a place of internal production, is chiefly dependent upon such a source of supply.

7. That your memorialists, whether recognized generally or partially as "British subjects" or not, pending a solution of the dangerous questions which have been recently raised in the printed correspondence referred to, and in the humble opinion of your memorialists most ill-advisedly treated respecting the rights of liberated Africans, many of whom (and those of your memorialists so designated claim to be included in the number) Governor Kennedy has been pleased to acknowledge "have attained to a "high degree of respectability, and having amassed large property within the colony are "daily adding thereto," have not only been taught to regard trial by jury in its full and comprehensive sense as an unalienable right secured to them by the constitution and fundamental laws of England, and which they have hitherto enjoyed intact, but local experience has determined its salutary influence upon the mixed races of the population, (of whom at the present time by far the largest portion have been educated and trained in the colony from their youth, and many have been educated in England,) and its efficacy as the greatest guarantee under the peculiar constitution of the government against oppression and injustice as well as for the safety of the property of the colonists; and to deprive them of which to the extent contemplated by the "Jurors Act" in question would, in humble opinion of your memorialists, be regarded throughout the colony (especially in connexion with the effects already produced by the general policy of the local government, and with the pride everywhere evinced among the educated classes of being subject to British laws,) as a tacit declaration not only that they are not British subjects, but that they are not worthy of being so.

8. That your memorialists most humbly crave your Grace's deliberate consideration of the facts set forth in this their respectful and earnest appeal; and that your Grace will be pleased to interpose your judgment and influence in recommending to Her Majesty that the two laws or ordinances in question be disallowed.

And your memorialists, as in duty bound, will every pray.

[550 signatures.]

Sierra Leone, 21st January 1854.

Register.	Date.	—	Name.		Sex.	Nation.	With whom residing.	Name and Residence of Parents.	By whom brought in.	For what purpose.	—
				Years.							
25th January 1854	1851	59	Debah - -	10	Female	Timmanee	John Ezzidio	Smart and Yameama; Mabelly.	John Ezzidio, George Street, Freetown.	To be taught to wash and sew.	(Signed) John Ezzidio.
,, ,,	1852	60	Conah - -	9	Female	Sherbro -	John Ezzidio	Father dead, mother's name unknown; Sherbro.	John Ezzidio, George Street, Freetown.	To be taught to wash and sew.	(Signed) John Ezzidio.
,, ,,	1849	61	William Smart	14	Male -	Sussoo -	John Ezzidio	Besinty and Lenah Cassapo; Isles de Las.	John Ezzidio, George Street, Freetown.	To be apprenticed to a master mariner.	(Signed) John Ezzidio.
,, ,,	1853	62	Ezzidio - -	7	Male -	Timmanee	John Ezzidio	William Smart and Yenbrin; Mabelly.	John Ezzidio, George Street, Freetown.	To be educated.	(Signed) John Ezzidio.

A true copy,
(Signed) ARTH. ARMSTRONG,
Acting Magistrate.

SIERRA LEONE.

No. 9.

No. 9.

EXTRACT of a DESPATCH from Governor KENNEDY to the Duke of NEWCASTLE.

(No. 81.)

Government House, Sierra Leone, June 1, 1854.

(Received July 20, 1854.)

"I DEEM it to be my duty to inform you that Mr. John Stone Palmer, late acting manager, and assistant manager of the western district of this colony, has been committed to the common gaol for three months, by the police magistrate, for a very gross breach of the "Ordinance for better Protection of Alien Children." It would appear that Mr. Palmer seized a canoe containing a number of slaves not very long before his dismissal. He retained one boy for his own use, and gave another to his overseer, with whose daughter he cohabits, and liberated the remainder. Mr. Palmer ill-treated the boy so retained by him, and failed to register him in compliance with the law. The boy ran away, and put himself under the protection of the nearest missionary, who sent him to Freetown. I directed the superintendent of police to bring the case before the magistrate, who investigated it, and committed Mr. Palmer for three months."

No. 10.

No. 10.

COPY of a DESPATCH from Governor KENNEDY to the Right Hon. Sir GEORGE GREY, Bart.

(No. 115.)

Government House, Sierra Leone, July 21, 1854.

(Received Aug. 18, 1854.)

(Answered, No. 37, Sept. 19, 1854, page 40.)

SIR,

1. HEREWITH I have the honour to transmit "an Ordinance to amend "the Laws relative to Jurors and Juries in the said Colony of Sierra Leone." This subject having been so lately brought under notice in my Despatch No. 220, of the 1st December 1853, it is unnecessary for me to offer any lengthened remarks upon it.

2. I consider this measure under existing circumstances to be absolutely necessary to the due administration of justice in this colony, and in this opinion I am not singular, as the Ordinance passed the Council, not only without a dissentient voice, but with, I believe, the cordial approval of every member. I have therefore to hope for your early approval, and Her Majesty's confirmation thereof.

I have, &c.

(Signed) A. E. KENNEDY,

Governor.

The Right. Hon Sir George Grey, Bart., &c. &c. &c.

Encl. in No. 10

Enclosure in No. 10.

In the Eighteenth Year of the Reign of Her Majesty Queen Victoria.

No. 6.

AN ORDINANCE to amend an Ordinance intituled "An Ordinance to amend the Laws relative to Jurors and Juries in the Colony of Sierra Leone."

WHEREAS it is deemed expedient to amend an Ordinance passed on the Twenty-ninth day of November, in the year of our Lord one thousand eight hundred and fifty-three, intituled "An Ordinance to amend the Laws relative to Jurors and Juries in the "Colony of Sierra Leone," be it therefore enacted by the Governor and Council as follows :—

Verdict of two thirds of the jury to be received.

I. That, from and after the passing of this Ordinance, a verdict of a majority of two thirds of a jury shall be held, taken to be, and received by every court in the said colony as the verdict of the whole jury in all causes, civil or criminal.

II. If any man duly summoned to attend on any kind of jury in any of the Courts of the said colony, civil or criminal, shall not attend, or being thrice called shall not answer to his name, or if any such man, or any talesman, after having been called, shall be present but not appear, or after his appearance shall wilfully withdraw himself, the Court shall set such fine upon every such man or talesman, (unless reasonable excuse shall be proved by oath or affidavit) as the Court shall think fit.

Fine on jurors making default.

III. If any man having been duly summoned and returned to serve as a juror upon any inquest or inquiry before any sheriff, deputy or under sheriff, or coroner, shall not, after being openly called three times, appear and serve, every such sheriff, deputy or under sheriff, or coroner, shall (unless some reasonable excuse shall be proved on oath) impose such fine upon every man so making default as he shall think fit, not exceeding five pounds; and every such sheriff, deputy or under sheriff, and coroner, shall make out and sign a certificate, containing the Christian and surname, the residence and trade or calling of every man making default, together with the amount of the fine imposed, and the cause of such fine, and shall transmit such certificate to the Clerk of the Crown of the said colony, on or before the first day of the quarter sessions next ensuing; and every such Clerk of the Crown is hereby required to copy the fines certified on the roll on which fines imposed at sessions shall be copied, and the same shall be estreated, levied, and applied in like manner as if they had been part of the fines imposed at such quarter sessions.

Sheriff or coroner may fine persons for non-attendance.

IV. That this Ordinance shall be in force and take effect from and after the passing thereof.

Commencement of ordinance.

(Signed) A. E. KENNEDY,
Governor.

Passed in the Legislative Council, this Nineteenth day of July, in the year of our Lord one thousand eight hundred and fifty-four.

(Signed) EDWARD A. C. MACARTNEY,
Clerk of Council.

No. 11.

Copy of a DESPATCH from Governor KENNEDY to the Right Hon. Sir GEORGE GREY, Bart.

(No. 163.)

Government House, Sierra Leone,
September 23, 1854.

SIR, (Received Feb. 5, 1855.)

I HAVE the honour to transmit continuations of a list of children and others who have been rescued from slavery by this Government between December 1852 and September 1854.

The whole of these had been either sold and carried away from the colony, or had been purchased and held in slavery by British subjects without the bounds of the colony.

No legal claim has been made for any of these persons.

I have, &c.
(Signed) A. E. KENNEDY,
Governor.

The Right Hon. Sir George Grey, Bart.,
&c. &c. &c.

SIERRA LEONE.

Encl. in No. 11.

Enclosure in No. 11.

RETURN of Persons rescued from Slavery in and out of the Colony, and also of Persons detained, under the Authority of the Alien Children Ordinance, by the Police Magistrate at the Police Office. September 23, 1854.

	Name.	Age.	Sex.	Nation.	From whom and whence rescued.	How disposed of.
		Years.				
1	Kinda	12	Female	Lokkoh	Waterloo	Restored to their uncle, Quiah.
	Maria or Cartee	9	,,	Do.	Do.	
	Boye or Nancy	13	,,	Cossoo	Sorie Romashank, Quiah.	With Mrs. Harris, Hastings.
	Motto	9	Male	Do.	Thomas Cole, Sherbro	Govt. House, Freetown.
	Sarah or Fatmah	18 or 19	Female	Korankoh	Hawah Garankay	With Omoo M. Yellie, wife, Freetown.
	Tambah or Yeerah	16 or 17	Male	Konnoh	Freetown	Col. hospital, Freetown.
	Bembah	10	,,	Timminee	Allimamee Sorie Ba-Bye Quiah	With Sorie Bandah and Foday, at Sussex.
	Ballah, 1st.	18	,,	Do.		
	Potoe	8	,,	Do.	Mayindoo, Bullam	Col. hospital, Freetown.
10	Kohbae or Moses Caulker	9	,,	Sherbro	S. J. Caulker, Freetown	,, ,,
	Bureh or James	17	,,	Do.	Jos. Forster, ditto	Betsy Forster, ,,
	Sambah	8	,,	Cossoo	James George, ditto	Col. hospital, ,,
	Boye or Jane	10	Female	Do.		
	Tongu	23	Male	Do.	Isaac Gipson, Bompey	Freetown.
	Dambee	25	Female	Timminee		Sent to Waterloo.
	Feemah, 1st.	25	,,	Do.		,, ,,
	Satich or Sally	25	,,	Cossoo		,, ,,
	Feemah, 2d.	35	,,	Timminee		,, ,,
	Dammah	40	,,	Linebah		,, ,,
20	Kanray Kolo	20	Male	Cossoo		,, ,,
	Peah	25	,,	Timminee		,, ,,
	Ballah, 2d.	40	,,	Korankoh		,, ,,
	Tembae	50	Female	Cossoo		Both with Mrs. Nancy Campble, Freetown.
	Boam	7	,,	Do.		
	Kittim	3	Male	Timminee		With his mother, at Waterloo.
	Koombah Moodoo	15	,,	Soosoo	Amarrah, Bannana Island	With John Mackah, Freetown.
	Careemoo	16	,,	Sherbro		With Ansoomanee, Freetown.
	Elisabeth Night	14	Female	Col. born	Freetown	Freetown.
	Hagar Dixon	16	,,	Lib. Cossoo	Waterloo	Waterloo.
30	Feignbae	40	,,	Timminee	Payeama Koray Royeamah, Quiah	Rokeb, near Hastings.
	Seignbae	45	,,	Do.		
	Rookoh Cartee	25	,,	Do.		
	Joe Barkee	16	Male	Cossoo		With David Wilson, Hastings.
	Susanna	10	Female	Do.	Mrs. Cook Kissy	With Mrs. Schelenker, Freetown.
	Francis	12	Male	Gallinas	Nathaniel Isaacs (European), "Matacong"	Col. surveyor's department, Freetown.
	Robert George	12	,,	Timminee		With George Wilson, pilot, Freetown.
	Nathan	14	,,	Cossoo		2d West India regiment, Freetown.
	Ephraim	20	,,	Mandingo	Isaac Gipson (Col. born), Bompey	,, ,,
	James Jinkins	20	,,	Timminee		,, ,,
40	Kabbah Wooroo	18	,,	Cossoo		,, ,,
	Kabbah Barkee	35	,,	Do.		Sent to Waterloo.
	Satich Wondoh	25	Female	Do.		,, ,,
	Beah-reh	25	Male	Do.	Mora Sam, "Matacong"	,, ,,
	Day-moh	25	Female	Timminee		
	Cammadore	14	Male	Col. born	Dick Bomp Robeccah, Quiah	With his sister, Hastings.
	Forah Rakay	22	,,	Sherbro	Jos. Ruffle, L. A., Sherbro	Lib. A. department.
	Boyinkee	14	Female	Timminee	Cartee, L.A., Romakotoh	Restored to her uncle and brother, Romakotoh, Quiah.
	Kye	25	,,	Cossoo	Wojah Corwamah, Quiah	Wojah Corwamah.
	Konnah or Eliza	13	,,	Sherbro	Discharged from hospital, Freetown.	With Mrs. S. Ball, Freetown.
50	Kannah Sammah	25	Male	Cossoo	Bullam Shore	Freetown.
	Little Joe	3	,,	Do.	Isaac Gipson, Bompey	
	Bannah, 1st.	10	,,	Timminee	,,	
	Kanray Ribbin	10	,,	Cossoo	,,	
	Noah	10	,,	Do.	Nathaniel Isaacs, Matacong	
	Jacob	14	,,	Bearesseh	,,	Sent to Church missionary school, Kissy.
	Peter, 1st.	14	,,	Cossoo	,,	
	David	10	,,	Soosoo	,,	
	Bannah, 2d.	8	,,	Timminee	Payeamee Koray Royeamah, Quiah	
	Peter, 2d.	10	,,	Do.		

	Name.	Age.	Sex.	Nation.	From whom and whence rescued.	How disposed of.
60	Foray - -	6 or 7	Male -	Cossoo - -	Cartee, L. Af., Romashouk, Quiah -	
	Koh-bae - -	14	„	Do. - -	Woojah, Corwamah Quiah - -	
	Komboe - -	12	„	Timminee -	Lamina, Wellington	Sent to Church missionary school, Kissy.
	John Canning -	15	„	Cossoo - -	(Discharged from hospital) Geo. Canning, Bompey - -	
	Sara - -	8	„	Korankoh -	Payeama Koray, Royemah, Quiah - -	
	Mamoosoo -	12	„	Timminee - -	Isaac Gipson, Bompey	
66	Yeanee or Nancy Caulker - -	16	„	Sherbro - -	Lucy Caulker, Freetown - - -	Sent to Church missionary school, Charlotte.

Last number from December 10, 1852, to June 7, 1854, 99 male and 105 female; in all 268 persons, not including 5 persons from Prince Mannah's canoe. A boy and a girl already accounted for again mentioned in this, beside 19 persons not reckoned in this return, being not as yet disposed of. September 23, 1854.

Number of persons rescued from December 10, 1852, to September 18, 1854:—138 male and 130 female.

THOS. GEO. LAWSON,
Government Messenger and Interpreter.

No. 12. No. 12.

Copy of a DESPATCH from Governor Kennedy to the Right Hon. Sir George Grey, Bart.

(No. 168.) Government House, Sierra Leone, September 30, 1854.

(Received February 5, 1855.)

Sir,

I have the honour to* transmit a report from Serjeant Lawson, Government messenger, and statements of rescued slaves, paged from 1 to 34, as illustrating the disgraceful system of slave-dealing, which I have used my best energies to put an end to in this colony, and showing the necessity for the "Ordinance for the better Protection of Alien Children," passed in December 1853.

I have, &c.

(Signed) A. E. KENNEDY,
Governor.

The Right Hon. Sir George Grey, Bart.
&c. &c. &c.

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* See Letter from Governor Kennedy, 13th February 1855, at page 41.

Despatches from the Secretary of State.

No. 1.

No. 1.

Copy of a DESPATCH from the Duke of Newcastle to Governor Kennedy.

(No. 91.)

Sir, Downing Street, September 3, 1853.

* Page 3. I have received your Despatch, No. 154* of the 18th of July, calling my attention to the fact of most of the bills, in cases of slave-dealing, sent before the grand jury at the late quarter sessions for the colony having been thrown out, and asking for my sanction for the introduction into the council of an ordinance to dispense with any previous finding by a grand jury.

It is clear from your statement, and from the evidence taken before the police magistrate, that the grand jury was not justified in pronouncing as groundless the accusations preferred to them against the prisoners who had been committed for trial at the sessions; and as it is essential that immediate steps should be taken to prevent so manifest a denial of public justice I shall not require you to cause fresh bills of indictment to be preferred to another grand jury, but authorize you at once to introduce an ordinance providing for the indictment of persons without reference to the truth of the accusation against them being in the first instance testified to by a grand jury.

I have, &c.

Governor Kennedy, &c. &c. &c. (Signed) NEWCASTLE.

No. 2.

No. 2.

Copy of a DESPATCH from the Duke of Newcastle to Governor Kennedy.

(No. 120.)

Sir, Downing Street, November 30, 1853.

With reference to the correspondence which has passed relative to the legal status of liberated Africans domiciled or residing in Sierra Leone and its dependencies, I transmit for your information and guidance, a copy of an Act passed last session, "to remove doubts as to the Rights of the Liberated "Africans in Sierra Leone."

16 & 17 Vict. c. 86.

I likewise transmit to you an Order* of Her Majesty in Council appointing Sierra Leone a place for the trial of offenders brought there under the 6 & 7 Vict. cap. 94, to which reference is made in the third clause of the accompanying Act of last session.

No. 66, April 4.
No. 112, June 10.
No. 117, June 13.

I take this opportunity of acknowledging the receipt of your Despatches of the numbers and dates noted in the margin, and of signifying to you Her Majesty's ratification of the additional articles to the treaties with the Sherbro chiefs, with the chiefs of Bacca Lokkoh, and other chiefs of the Timmanee country, and with the king of the Locco Marsamma.

I have, &c.

Governor Kennedy, &c. &c. &c. (Signed) NEWCASTLE.

No. 3.

No. 3.

Copy of a DESPATCH from the Duke of Newcastle to Governor Kennedy.

(No. 130.)

Sir, Downing Street, January 16, 1854.

* Page 22. I have received your Despatch of the 10th ult., No. 234,* reporting the recovery of certain children from slavery.

Her Majesty's Government have no doubt whatever of the urgency of the measures which you have adopted for the better protection of alien children

* Copy of this Order in Council will be found already printed for Parliament at page 37 of House of Commons Paper, No. 383, 11th July 1855. West Coast of Africa.

and I trust that the local Government will not relax in their efforts for effecting that desirable object. SIERRA LEONE.

I have, &c.

Governor Kennedy, &c. &c. &c. (Signed) NEWCASTLE.

No. 4. No. 4.

Copy of a DESPATCH from the Duke of Newcastle to Governor Kennedy.

(No. 133.)

Sir, Downing Street, February 4, 1854.

I have received your Despatch, No. 231,* of the 9th December last, forwarding an ordinance passed by the Legislature of Sierra Leone, entitled "An Ordinance for the better protection of Alien Children within the colony "of Sierra Leone." * Page 19.

Having laid this ordinance before the Queen, I am commanded to acquaint you that Her Majesty has been pleased to allow and confirm it.

You will cause Her Majesty's decision on the ordinance to be communicated to the inhabitants of Sierra Leone by a proclamation, to be published in the usual and most authentic manner.

I have, &c.

Governor Kennedy, &c. &c. &c. (Signed) NEWCASTLE.

No. 5. No. 5.

Copy of a DESPATCH from the Duke of Newcastle to Governor Kennedy.

(No. 134.)

Sir, Downing Street, February 5, 1854.

I have received your Despatch, No. 220,* of the 1st December last, forwarding an ordinance, passed by the Legislature of Sierra Leone, entitled "An Ordinance to amend the Laws relating to Jurors and Juries in the colony "of Sierra Leone." * Page 15.

Having laid this Ordinance before the Queen, I am commanded to acquaint you that Her Majesty has been pleased to allow and confirm it.

You will cause Her Majesty's decision on the ordinance to be communicated to the inhabitants of the colony by a proclamation, to be published in the usual and most authentic manner.

You state that a clause was proposed which authorized the court to receive a verdict of two thirds of the jury, but that it was withdrawn, from a doubt whether it would meet my approval.

A similar deviation from the English law by certain of the colonial legislatures has been sanctioned by some of my predecessors, with the proviso, that, in order to secure proper opportunity for discussion and consideration among the jury, the verdict of any number less than the whole should not be received until after the lapse of a certain time. It has been, for instance, in some cases enacted that the verdict of two thirds should be received after, say, three hours, that of a simple majority after six hours.

I do not wish to bind the Council to any particular provision on this subject, being satisfied that much must depend on the temper and habits of native juries; but I wish you fully to understand, that, so far from objecting to a properly regulated system of verdicts by a majority, I believe it to be on general grounds preferable to a forced unanimity.

I have, &c.

Governor Kennedy, &c. &c. &c. (Signed) NEWCASTLE.

SIERRA LEONE.

No. 6.

No. 6.

EXTRACT of a DESPATCH from the Duke of NEWCASTLE to Governor KENNEDY.

(No. 157.)

Downing Street, March 22, 1854.

* Page 27.

"I HAVE received your Despatch of the 10th ult.,* No. 31, transmitting and reporting upon a memorial from certain inhabitants of Freetown, praying Her Majesty to withhold her sanction to two ordinances passed by the legislature of Sierra Leone, the one "to amend the Jurors and Juries Act," and the other, "for the better Protection of Alien Children."

"I have to request that you will cause the memorialists to be informed that these ordinances have already received Her Majesty's sanction, and that the necessity for their coming into operation has been abundantly proved by the internal slave-dealing and miscarriages of criminal proceedings instituted in respect of the slave-dealing which have of late been brought under the notice of Her Majesty's Government."

No. 7.

No. 7.

COPY of a DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to Governor KENNEDY.

(No. 37.)

SIR, Downing Street, September 19, 1854.

* Page 34.

I HAVE received your Despatch, No.* 115, of the 21st July, enclosing an ordinance (No. 6 of 1854) passed by the legislature of Sierra Leone "to amend the Laws relative to Jurors and Juries." I observe that the suggestion of my predecessor, that the verdict of any number less than the whole should not be taken until a certain period for discussion had expired, has not been adopted; and the second clause, which enables courts to fine jurors making default, prescribes no maximum fine. I think it right to call your attention to these points, although they are not of sufficient importance to render it necessary to delay the confirmation of the ordinance. I have therefore submitted it to the Queen, and I am commanded to acquaint you that Her Majesty has been pleased to allow and confirm the same.

You will communicate Her Majesty's decision to the inhabitants of the colony by a proclamation to be published in the usual and most authentic manner.

I have, &c.

Governor Kennedy, &c. &c. &c. (Signed) G. GREY.

No. 8.

No. 8.

COPY of a LETTER from H. MERIVALE, Esq. to Colonel HILL.

SIR, Downing Strcet, March 28, 1855.

13th Feb. / 15th March.

I AM directed by the Secretary of State, to transmit to you copies of two letters, and their enclosures, from Governor Kennedy, relative to the system of slavery which exists in Sierra Leone, and the measures which he would propose to remedy that serious evil.

28th Feb. 1855.

I am also to enclose a copy of the answer which has been returned to Governor Kennedy's commmunications by the Secretary of State's desire, and to state that it will be your duty, immediately after your arrival in Sierra Leone, to take Governor Kennedy's proposals into your earnest consideration,

28th March 1855.

and to adopt such measures as may effectually check the abuses which have been discovered.

I have, &c.

Colonel Hill. &c. &c. (Signed) H. MERIVALE.

Enclosure 1. in No. 8.

Copy of a Letter from Governor Kennedy to H. Merivale, Esq.

Junior United Service Club, London,
February 13, 1855.

Sir,

I have the honour to acknowledge the receipt of your communication of the 8th instant, inquiring whether I can supply duplicates of the enclosures lost in my Despatch No. 168,* dated Sierra Leone, September 30, 1854, illustrating the system of slave dealing which had existed in Sierra Leone, and showing the necessity for the "Ordinance for the better Protection of Alien Children."

* See Page 37.

2. The arrival of the last mail has enabled me to supply certified copies of a portion of those papers, which I enclose herewith, paged from 1 to 92. I need scarcely bespeak your indulgence for these papers, written by Serjant (now Inspector) Thomas Lawson, a self-educated native of the colony. Mr. Lawson is an unusually intelligent man, of strong common sense, sound morals, and unimpeachable integrity; his reports, and the statements taken down by him, may be implicitly relied upon. I only fear that the active part he has taken in assisting to remove the crime and disgrace of slavery from the colony may be turned to his disadvantage.

3. I consider the facts and system disclosed in these papers to be of the gravest importance, and demanding the most serious consideration both in a moral and political point of view.

I intended to bring this subject under the notice of Her Majesty's Secretary of State, and only waited the receipt of duplicates of certain papers which I lost on my homeward voyage.

4. When I left the colony in October last, upwards of 800 alien children were registered under the provision of the ordnance adverted to; and the numbers are, I have no doubt, increased since that period. Almost the whole of these children were in the possession of persons resident in Free Town.

5. It is not alleged or pretended that these children have father, mother, or other relative resident in the colony, or that they are British subjects; and it is nearly impossible to ascertain the names and residence of the parents, as the children's names are almost invariably changed on their being brought into the colony, and the registered names of the parents being in most instances fictitious.

6. African children are most useful at a very early age for purposes of domestic drudgery, carrying water, fire wood, pounding rice, &c. The cost of subsisting such a child does not exceed one penny a day, and the amount of drudgery performed would, if effected by free labour, cost probably eight to ten pounds per year; hence the great inducement to obtain these slave children, many of whom are in the possession of prostitutes, publicans, hawkers, and pedlars.

7. When these children become old enough to assert their independence, or begin to understand their rights as British subjects, they are inveigled beyond the bounds of the colony, or carried out of it by force, and sold or exchanged for cattle to the neighbouring Mahommedans and cattle growers. No man of truth or intelligence in the colony can doubt this fact, though they may differ as to the extent.

8. A reference to the police register will show, that many persons of very poor means have as many as six or seven of these children, of various ages, registered in their names. They are for the most part brought up in ignorance and barbarism,—the ready material for thieves and prostitutes, if they escape being sold out of the colony

9. The pretext for their being brought into the colony is generally "education," the column in the register "for what purpose brought into the colony" being in the great majority of cases thus filled up. I need hardly say that this is notoriously the reverse of the truth; they are brought in to perform the lowest and most laborious drudgery, and of course displace the like amount of free labour in a colony where want of employment and low wages are among the greatest evils and causes of crime.

10. The existing ordinance by no means fully meets the evil, though it has put a check upon the open and iniquitous traffic for a length of time carried on.

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11. This iniquitous traffic arose out of the apprenticeship system, which was most properly abolished some years ago. Persons who had been long accustomed to procure an "apprentice" out of the liberated African yard on the payment of 10*s.* or 20*s.*, were unwilling to pay a reasonable price for free labour, and commenced importing or introducing "children" to supply their place.

12. The tendency of such a system, under the existing circumstances of the colony, is obviously to increase; and a stream of barbarism, and source of crime and demoralization are thus being constantly intoduced into the colony. Unless it be checked by a firm hand and adequate enactments, it will grow into a monster evil, and sooner or later bring discredit upon the mother country.

13. I shall not, unless invited to do so, occupy your time with any lengthened detail as to the measures in my opinion necessary to remedy the evil, or my reasons for proposing them. I think, with some trifling changes in the existing ordinance, a simple remedy may be found, and which I am in a position to know the Legislative Council would readily adopt if introduced by the Governor, and approved by Her Majesty's Secretary of State; namely, a clause to compel the holders of alien children under a certain age to send them to some recognized school (for, say four hours) daily, appointing some public officer to see this carried out under a penalty for neglect or non-compliance. This would strike at the root of the evil, and at once take away the present profit in slave labour, and stop the introduction of more children.

14. To institute prosecutions, and prove the buying and selling in these cases, is almost impossible, and hopeless before a jury, three fourths of whom probably hold children in a like manner themselves. The respectable portion of the community are most anxious to see such a disgrace removed from the colony.

I am fully aware that objections may be urged against the course I propose, but they are trifling in comparison with the hideous and degrading evil it is in my opinion calculated to remedy.

H. Merivale, Esq.
&c. &c.

I have &c.
(Signed) A. E. Kennedy.

To his Excellency A. E. Kennedy, Governor in Chief, &c. &c. &c.

Sir, Colony of Sierra Leone, January 14, 1852.

1. The following is a list of children sent or taken out of the colony by several Mandingoes and Foolahs, residing in the colony, according to the information given to me, viz. :—

Bocarry Noomoo, a blacksmith, resided for a considerable number of years in this colony, and who absconded from it on the night of the 20th December last; he sent away, two or three days before his departure from the colony, seven children, whom he had as slaves, to Port Lokkoh, to the care of Haronardeé Noomoo, a head blacksmith at that place, under the care of the late Arlikarlie Namina Mordoo. Their names are as follows:—

1. Carda	-	about 17	years of age
2. Baffao	-	17	„ „
3. Quiah	-	10	„ „
4. Sarrah	-	10	„ „
5. Musu	-	10	„ „
6. Forar	-	11	„ „
7. a girl, name unknown	-	10	„ „

2. Moronordoo Moomu, also a blacksmith, carried away with him to the same place, and are under the care of the same blacksmith,—

1. Sarrah	-	about 10	years of age
2. Sung Carro	-	11	„ „
3. A boy, name unknown	-	6	„ „

3. Musa Carranka, now in gaol for trial, on the night of the 21st December last, sent away from the colony to Port Lokkoh, to the care of Omorrow Carranka, at that place, under Nomina Lakier, one girl, whose name is Tennah, about twelve years of age.

4. Nana Kennee, sent away from the colony, on the same night above stated, to a small village a little above Port Lokkoh, called Cama Sonas, four girls and one boy (their names are not yet ascertained), to the care of her son, Bandoo, under the care of a man named Angarar.

5. LAMINA CALLA sent away from the colony, about the same time as above stated, to Port Lokkoh, to the care of Surir Norbah, under the care of a Yeebyroo, one girl, Bareenooma, about twelve years old.

6. MALEGIE CEELAH, on the night of the 18th December last sent away from the colony two girls to the same place (Port Lokkoh), under the care of Nansar Maree, a butcher, under the care of Surir Foolah; their names are unknown.

7. CONDOBOH, on the night of the 10th December last, sent from the colony to the care of the same man (Nansar Maree), at the same place; two girls, their names are unknown.

8. AUSUMANA, carpenter, now in gaol for trial, sent away from the colony on about the 22nd December last, Farodoogoo, in the territory of Bey Fontie, King of Meuda, to the care of Sarahokoh, one boy, named Mansor, and a girl, named Sattah.

9. HIDJEE, while in gaol for trial, ordered two girls to be sent away from the colony to Ro Bantier, a distance from Port Lokkoh town of about one and a half days' walk.

10. YELLER MAUGAH sent away from the colony on the night of the 21st December last, over to Soauga or Madina, the late Dalu Mahamodoo's place, Bullom shore, to the care of Madee Cabba, three girls, their names unknown.

11. SANNACE CEELAH, about the same time sent away from the colony to Ro Bongkoh, one of the late Dalu Mahamodoo's slave towns, in the Lokkoh Maisammah country, four girls, viz.:—Barracatoo, about ten years of age; Bareenooma, about fourteen years of age, and the two others, their names not known-

12. MORDEE FING sent away from the colony, about the same time, one boy and a girl to Ro Mashakah, a town in the Queah country, to the care of Morar Fooday, under the care of Harmeedoo Toorar; their names are unknown.

Total number sent out from the colony to Port Lokkoh and her villages	-	24
" " over to Bullom - - -	-	7
" " to Queah - -	-	2
Total - -	-	33

All these were brought into the colony, bought and held as slaves in it; several more still in the colony and of those that are sent out of the colonyI have not fully yet ascertained the true facts about them.

I remain, &c.,

(Signed) THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

To his Excellency A. E. Kennedy, Governor in Chief, &c. &c.

SIR, Colony of Sierra Leone, January 19, 1853.

RESPECTFULLY I beg to lay before you, for your Excellency's information, the following statements of persons who, through your exertions, have been recovered out of slavery:—

NAMES and Statements of the Persons recovered, how they were taken away from the colony, by whom, and where they were taken to.

1. YEERAH, a lad about eighteen years of age, states as follows:—I am a Timminee boy, born at a town called Milicourie, a little above Port Lokkoh. I was brought here by some of my countrymen; their names I do not know; they went away and left me as a slave to Inga Baloo, a Mandingo woman, living near the Magazine Point, who took me (as she said to me) as her own son, this happened about six or seven years ago. About five weeks ago I was sent by her, under the view of purchasing palm oil, with a Mandingo man named Ba Ba-Coasay, to a place called Robonkoh, near Cum Roby, in the Lokkoh Masamah country. After our arrival in that place I was under the charge of a Mandingo man, named Coley, who would not permit me at my repeated requests and endeavours to return to Sierra Leone. I then knew that I was deceived by my mistress, Inga Baloo. I was in that man's charge all the time until the night before last. I was delivered up to some messengers from Cally Mordoo, the chief of Longa or Madina Bullom shore, and saw there some man-of-war boats, making a demand for me and others. Yesterday I was delivered up by Cally Mordoo to an officer of the man-of-war, and I was brought back to Freetown by them.

2. BOYE, a girl about ten years of age, states:—I am a Cassoo girl. Was brought in this colony by a Mandingo man, named Maligie Ceelah, who lives by the Magazine Point. On last rainy season, about one month ago, he sent me away from here by Morie Fooray, a Mandingo man, under the view to dig ground nuts. I was conducted by that man over to Longa or Madina (the same place mentioned in No. 1.), in a canoe, by night. I was delivered by him under the charge of Maddee Cabba, a Mandingo man of that place, until yesterday, when I was given up to Cally Mordoo, the chief of that place, who also give me up to the man-of-war people, and was brought back again by them to Freetown.

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3. DEEBAH, a girl about eleven years of age, states:—I am a Timminee girl, born in the interior part of Rokelle. I was brought here by some of my countrymen last dry season, who delivered me to Yellie Manjah, a Mandingo man, living by the Magazine Point. About one month ago he gave me up to the man already mentioned in No. 2 (Morie Fooray), who carried me off to the same place Boye (in No. 2) was carried to. I was placed in charge of Madee Cabba, and was all the time, up to the night before last, when I was delivered up to Cally Mordoo, the chief of that place, who also delivered me up yesterday to the man-of-war people, and was brought back to Sierra Leone by them.

4. SYE BARTOO, a girl about fourteen years of age, states:—I am a Timminee girl, born at Ro Mangay. I was brought by some of my country people to the colony. I was led to believe by my master, Sannacei Ceillah, a Mandingo man, in whose hands I was left, that I was given to one of his wives, named Rokie Attah, a Mandingo woman, to be raised up by her. I did not know who was the Governor of the colony at the time I was brought. The first Governor I knew was the last one, who went away about a month ago. I was sent away by my master above-mentioned, who lives near the Magazine Point, by night, in a large canoe, with some Soosoo people to Robonkoh (the place already described in No. 1), in care of a Mandingo man, called Amarrah, in whose charge I was until the night before last, when messengers came from Cally Mordoo for me and others, and yesterday I was delivered up by Cally Mordoo to the man-of-war people who brought me back to the colony.

5. BARREE NOOMAH, a girl about thirteen years of age, states:—I was born in a town called Tombo, in the Timminee country (Rokelle). I was brought here by some people, but do not know them. I was delivered by them to Mamee-Nanai or Rokie Attah (already stated in No. 4). The first Governor I knew was the one who went away last, about a month ago. I was sent away by the husband of my mistress (Sannacei Ceillah) by night, in a large canoe, with some Soosoo people, to the same place, and under the charge of the same man as shewn in No. 4. I was in that man's charge until the night before last, when messengers came from Cally Mordoo for us, and yesterday I was delivered by Cally Mordoo to the man-of-war people, who brought me over again to the colony.

6. KOLAKO, a girl about thirteen years of age, states:—I am a Timminee; was brought here by some Mandingo people on the last rainy season, and was delivered by them to Yellie Manjah, already mentioned in No. 3, who about one month ago delivered me to the man mentioned in No. 3 (Morrie Fooday), and was carried off by that man to the same place as stated in No. 3. I was delivered over in charge of Madee Cabbah, who kept me up to the night before last, when I was delivered to Cally Mordoo, who delivered me up yesterday to the man-of-war people, and brought over here by them.

7. CALLIE, a little boy about five or six years of age, states:—I am a Korankoh child, was brought here by some people on last dry season, and was delivered by them to the same man, Yellie Manjah (as mentioned above in No. 3), who about one month ago delivered myself, Deebah, and Kolakoh, to the man Morrie Fooday (as mentioned in No. 3), and we were carried off by that man to the same place as specified in clause No. 3. The rest and myself were placed in charge of Madee Cabba, until the day we were taken from him by Cally Mordoo, and yesterday we were delivered by him to the man-of-war people, who brought us over here.

8. FORAE, a boy about seven years of age, states:—I am a native of Port Lokkoh River. Was brought here by a Foolah man, named Mormordoo Saidei Yenkie, who went up that country to trade; this happened little before the Mahomedam, last fast month (about July or August last), about a month ago. I was delivered by his wife, Mamee Nana, a liberated Mandingo woman, to Sannacei Ceillah, as mentioned in Nos. 4 and 5, and who at the same time sent me to the very place, Robonkoh, referred to in No. 1, in the care of one of his wives named Connee Yorrah, a Soosoo woman, under whose charge I was until the night before last, when messengers came from Cally Mordoo for me, and yesterday I was delivered by Cally Mordoo to the man-of-war people, who brought me over here.

9. YEA MEE, a boy about seven of age, states:—I am a Timminee Boy; was brought here by Far Garrah, a Bargah man. Knows not how long the time was. He brought me from Ribbee a few weeks ago, and sent me to go along with his countryman, named Cabba or Caboboo, to the waterside for some cocoa nuts; no sooner we got to the waterside, Cabba or Cabboo, took hold of me by the arms and placed me into a large canoe, which had a country awning over her stern; this was done at night; I cried out vehemently, but all was in vain, and was carried away by him in that canoe, against my wish, to a town in the Fanna River, Soosoo country called, Yankesah, from where I was brought back to the colony by a police officer that was sent up for me by the Governor, and we landed here again on the night before last.

The above statements were taken by me,

THOMAS GEORGE LAWSON,

Government Interpreter and Messenger.

Colony of Sierra Leone, February 12, 1853. SIERRA LEONE.

STATEMENTS of Persons who were taken from the Colony and treated as Slaves.

BOCARIE, a Lokkoh lad, about fifteen or sixteen years of age, states:—I was very young when brought by some Mandingo people, and one of them delivered me to a Foolah man named Woo Soomanee, a blacksmith. The first Governor I knew was the last one, who went away. Since I was brought to the colony—it is now about six or seven years—I lived with that man at King Tom's Point, until the Friday or Saturday in the week on which the last sessions were held. About half-past eight o'clock in the night I was carried away in a canoe by my master, Woo Soomanee, against my wish and desire, to a town in Bullom, called Sy-Yoe-Yah, and was in that town until the night of last Tuesday (8th inst.), when messengers came from Callie Mordoo, Chief of Madina, for me and others. The following morning, myself and the rest of my companions, together with our masters who carried us over, were delivered to Mr. Lawson, who requested Serie Mordoo, Chief of Madina, to keep us until the man-of-war people came. About twelve o'lock the man of boat came over; myself and companions, together with our masters who carried us over, were delivered to the man-of-war officers, who have brought us back to the colony. Was brought 9th Feb. 1853.

SAMBAH, a Koronkoh lad, about sixteen or seventeen years of age, states:—I am a Koronkoh lad; was brought in the colony very young by a Foolah man, whose name I do not know; he left me with Woo Soomanee as a slave. I did not see when he paid money for me to the man who brought me. I was here about two or three months before the last Governor, who went away, was promoted Governor of the colony. I think it is now about seven years ago, on the Friday or Saturday of the week on which the last grand Court was held. My master carried me, and three others, against our wish and desire, over to a town in the Bullom country, called Sy-Yongyoh, and we were in that town until last Tuesday night. Messengers came from Callie Mordoo, Chief of Medina, for us, and the following morning we were delivered to Mr. Lawson, who was sent over by the Governor for us; he requested Callie Mordoo's brother (Ceray Mordoo) to keep us until the man-of-war boat should come over. About twelve o'clock the same day the boat came, when myself and companions (three in number), together with our master, Woo Soomanee, who carried us over, were delivered by Callie Mordoo to the man-of-war officer, and we have been brought back to the colony. 9th Feb. 1853.

WONDAY, Koronkoh girl, about twelve years of age, states:—I was caught in a war by a man, who sold me to another man, named Marakuray, who delivered me to a Mandingo man, whose name I do not know; brought me in the colony last rainy season. Few days after our arrival in the colony he deceived me by telling me to follow him to go and purchase rice. I was carried to Woo Soomanee's house, and was left with him as a slave I did not see him paid any money for me. I was in his hands at King Tom's Point until the same time he took Bocarie, Sambah, Mariama, and myself over to Bullom, against our will, to a town in that country called Sy-Yongyoh, where we were until last Tuesday night; we were delivered to some messengers from Callie Mordoo, who, on the following morning, delivered us to Mr. Lawson, who requested Callie Mordoo to keep us until the man-of-war boat came over. About twelve o'clock the same day we were delivered by Callie Mordoo, together with our master, who carried us over, to the man-of-war people, who brought us back to the colony.

MARIAMA, a Mabantah Timminee girl, about fifteen or sixteen years of age, states:—I was brought to the colony last dry season by a Foulah man, named Loosanee, who left me in the hands of Woo Soomanee, who was living at King Tom's Point; Bocarie and my other companions were carried away by our master. I was also taken away by our master with them, against our wish, to the same place, and was brought back with them by the man-of-war people last Wednesday (the 9th inst.).

FORAE (2nd), a Koronkoh lad, about fifteen or sixteen years of age, states:—I was brought to the colony about six years ago by a Foolah man, name unknown; sold me to my mistress, Phena Fatmah, of my own nation; resided at the village called Wellington. I did not see the money she paid for me. I was in her hands at that place until last Wednesday. A constable, accompanied with a boy named Boh Boh Daing, came to our house, and took me and three others to the Police Office in Freetown. Our mistress also was brought up before the magistrate. I was caught in my own country by war, and lost all my family in that war.

MOOSAH (2nd), a Konoh boy or lad, about twelve or thirteen years of age, states:—I was very young when I was brought to the colony, and do not recollect anything about it. When I came to the knowledge of myself, found in the possession of Phena Fatmah, at Wellington. Whether I was bought as a slave or not I don't know. My duty in her hands was cattle driver, and sometimes severely flogged by her. On last Wednesday I, with others of my companions, was brought to the police by a constable to Freetown; our mistress also was brought before the magistrate. 9th Feb. 1853.

DOOSOO, a Konnoh girl, about six or seven years of age, states:—I was brought to the colony by some people. I do not know them nor their nation who landed me here in Freetown. I afterwards was carried away to Wellington by Phena Fatmah; this

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happened in last rainy season. I was in that woman's hands until last Wednesday; was taken by a constable, who brought me and my other companions to the police office in Freetown. My mistress also was brought up before the magistrate on our account.

MUSOO, a Bantah Timminee girl, about seven years of age, states:—I was brought in the colony by some Timminie people, who landed me at Kissy Town in a night last rainy season. I was left by them to Phena Fatmah, who took me to her house at Wellington, in whose hands I was until last Wednesday. I was taken, with my three other companions, by a constable to the police; our mistress, Phena Fatmah, was also brought up by the same constable before the magistrate on our account.

Was brought on the 11th Feb. 1853.

TARWAR CALITOO, a Koronkoh boy, about five years of age, states:—I was brought by a Foulah man, named Amadoo. We landed here in a night last rainy season. I was sold by that Foulah man to Inga Baloo, a Mandingo woman, who lives at the Magazine Point. About ten months ago my mistress sent me in a canoe by night, against my wish, to Robonkoh by some Soosoo people, in the care of Pa Coley. The day before yesterday I was brought by some people from Robonkoh to Madina, Callie Mordoo's place, who sent me back to the colony in his canoe.

Was brought on the 13th Jan. 1853.

HESTER, a girl from Cossoh country, of the age of years, states:—I was born in the Cossoh country, in which place myself and mother were caught in a war. We were brought in a town in the same country; I was left in that town, and my mother went to the brook to wash; another set of war people came upon that town. I ran and followed some people belonging to the town, who hid me in another place from my mother and former master. I was sold by them to a man, who about three years ago brought me to this colony as a slave, and resold me to a Mandingo man, whose name I do not know, who afterwards resold me again to a Soosoo man, name unknown. This latter person also sold me to Ansoomanah, or George Nicoll, and his wife, Salina Nicoll. About eight months ago my mistress, Salina Nicoll, ordered me to fill the country pots in the house with water, which I did. When I went for the last bowlful, I then was washing myself and the wrapper I had on, when I see her come down in a passion up to me and strike me on the face, and got some figsnut switches and severely flogged me, and then held me by the hand and threw me down. I happened to fall on some rocks on the place, and have felt my back bone broken, and was unable to walk; I was assisted by a man, who carried me on his back or arms to our house; I was there until last Christmas month. My mistress carried me away to Wellington, where I was hid in a man's house; nothing to eat; would surely die before this if my case was not found out, when I was brought to Mr. Lawson's house, who informed me that he was ordered by the Governor to search for me and to take care of me, and to get medical aid, which proved great benefit to my back.

Was brought 3rd Jan. 1854.

CARDAY states:—I am a Timminie girl, born in a town called Roma Bom, in the interior of Rokelle River. I was caught in a war and sold to a Foolah man, who brought me and Fenner as slaves to the colony about a month ago. We were taken from the house where we had first lodged by Ansoomanah Carpenter (who I saw at the Police Office), and were hid by him in another house, and from where a constable took us to the Police Office.

She was taken on the 21st Dec. 1852.

BARRACATOO states:—I am a Koronkoh girl. I was caught by some of my country people, and was sold to Sarra Nokoh, who brought me to Port Lokkoh, sent me and Tokey down here, with his brother Bocarry in charge, to his wife. The first night we arrived here I was removed from his house to Moosah Carrankae, where I was until a month ago. I was taken from there by some constables to the Police Office, and from there I was placed in the care of Mr. Lawson, who informed me that he had orders from the Governor to take good care of me.

Was brought 3rd of Jan. 1853.

TENNEE states:—I am a Lokkoh girl, and was caught in a war, and sold by the man who caught me to a man named Maligie Bundo, a Timmanie, who afterwards sold me to a Bundoocar man, who about a month ago brought me and Carday as slaves to the colony; and Ansoomandee, whom I saw the other day in the Police Office, took us and hid us in another house or place in care of a woman, from whence we were taken and brought to the Police Office, and was placed under the care of Mr. Lawson, who informed us that the Governor had given him orders to take care of us.

Was rescued on the 14th Jan. 1853.

MUSAH (1st) is a boy; was kidnapped in the colony, and was carrying away in a canoe by some Timminie people, and a constable went after the said canoe and rescued the boy, who has given his statement at the Police Office.

On the 29th Jan.

SALLAH, a Timminie girl, about thirteen years of age, states:—I was born in a town called Romasarah, where Camwood is got from. I was caught in a war by the Soosoo people, or rather Cossoh people, and was sold by them to a Mandingo man named Sarahnokoh, who had formerly resided at Gibraltar Point; this happened about two years ago. About three weeks ago I was delivered to Mr. L. E. Dillett by Mome Sancho at Port Lokkoh, and have been brought to the colony by Mr. Lawson.

TAMBAH, a Konnoh boy, about five or six years of age, gives no statement.

KOHBEY, a Kossoh boy, about four or five years of age, states:—I am a Cossoh boy; was caught in a war, and sold to Saranokoh.

JOE DILLET, a child, about three years old, gives no statement.

SIERRA LEONE

Feb. 2d, 1853.

TENNEE (Kenedy), a girl, gives no statement, or rather could not get any word from her.

BOYE (2nd), a Timminie girl, about seven years of age, states :—I was caught in a war by the Cossoh people, who sold me to a person whose name I cannot recollect, and was sold at different times to different masters, and the last master's name is Bocarie, who sent me here with some people. Was sent away in a night to Port Lokkoh, and this last time I came to the colony through Mr. Dillet, from Port Lokkoh, whom I was informed had been sent by the Governor.

The above statement was taken by me,

THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

To his Excellency A. E. Kennedy, Governor in Chief.

SIR, Colony of Sierra Leone, February 18, 1853.

I RESPECTFULLY beg to submit for your Excellency's information the following statement, being transactions that took place on four different missions I was sent on by your Excellency.

First, by your Excellency's order I embarked on board H.M. steam frigate "Penelope," at half-past 5 o'clock P.M. of the 16th ultimo. The following day (the 17th) I accompanied Lieutenant Foster with boats belonging to that vessel over to Medina Bullom shore, the town of a chief named Callie Mordoo, to demand of that chief the giving up to this Government certain children taken away out of the colony about two months ago by Sannacee Ceelah, a Mandingo man, Yellie Manjah, Inga Baloo, and Maligie Ceelah, all Mandigos, residents in the colony. We arrived at that town about 10 o'clock A.M., the same day. As soon as we entered the town I pointed out the chief, Callie Mordoo, to Lieutenant Foster, when he explained to that chief, through me, the nature of his errand from your Excellency to him, and pressed forcibly on him the necessity of his giving up the children (seven in number) who had been taken away from the colony, and the individuals who had carried them over to him. Finding that the children could not be possibly got in time for that day, the chief gave his word to have them by the following day. I was left, and the boats returned to the vessel. About 10 o'clock the following morning the boats returned to Medina, when eight children, which had been brought to me early in the morning, were delivered over to us; and the chief promised, as soon as he got the persons who had carried them over, to send them to your Excellency. We then left, and landed in the colony the same day at a quarter to 4 P.M. The names of the children brought over are as follow—viz. :

1.	Yeerah, a lad - -	about 18 years of age.
2.	Boye, a girl - -	„ 10 „
3.	Deebah, do. - -	„ 11 „
4.	Sye-Bartoo, do. -	„ 14 „
5.	Bar-ree Nuna, do. -	„ 13 „
6.	Holoko, do. - -	„ 13 „
7.	Callie, a boy - -	„ 5 or 6 „
8.	Forae, do. - -	„ 6 „ 7 „

2nd. On the 27th January last, your Excellency sent me to Port Lokkho with a message to Mr. Joseph E. Dillett, an officer who was sent up there by your Excellency to endeavour to recover from that place 24 children taken away from the colony by certain Mandingos, where I arrived the following day (the 28th), and explained as clearly and as fully as I could the wishes of your Excellency to the chief of that place, and also to the kings and chiefs of other places who were assembled there on the occasion of the sacrifice to be made on account of the death of the late Alikarlie; and on the day after Mr. Dillet delivered to me, to be brought to your Excellency, four children, being part of what he was sent up for; their names as follow :

1.	Joe, a little boy -	about 3 or 4 years of age.
2.	Tambah, do. - -	„ 5 „
3.	Cockbey, do. -	„ 4 „
4.	Tallah, a girl - -	„ 10 or 13 „

I landed with them in the colony about three o'clock the following day, the 30th January.

3rd. On the 8th instant I was sent by your Excellency with a letter to the chief Callie Mordoo, at Madina, the second time, to make a further demand of eight other children who had been carried over by Soomanee, a blacksmith, Sannacee Ceelah, and Inga Barloo, all Mandingos, except the first person, who is a Foolah. On my arrival at the town I delivered your Excellency's letter to the chief, who requested me to have the same read to him, which I did, and urged on him the necessity of his immediate attention to the purport of it. He at once sent messengers to Robonkoh, to one Sye-yongyah, and obtained from the latter place, the following morning, Soomanee and four children,

SIERRA LEONE.

whom he delivered to me, as I was aware that a boat would be over the same day from H.M. steam ship "Penelope." I requested him to keep them until Lieutenant Foster should come, who arrived about one o'clock P.M. The wind being unfavourable to them on their going over, the man and the four children were delivered to us. We left Madina and arrived in the colony at four o'clock P.M. The names of the children are as follow:

1. Bocarie, a lad - about 15 or 16 years of age.
2. Sambah, do. - „ 16 „ 17 „
3. Marimah, a girl - „ 14 „ 15 „
4. Wonday, do. - „ 12 „

On the 11th instant the chief, Callie Mordoo, sent over a boy from the same place, being one of those your letter of the 8th instant expresses, viz., Tar-War-Calitoo, now in the Kissy Hospital.

4th. On the morning of the 15th instant, by your Excellency's orders, I went on board H.M. steamer "Fire Fly," and proceeded in a boat and crew from her with an officer (Mr. Lawrence) up to Curi ra Bey, a town in the Lokkoh Massamah country, the territory of the late boy Monro, the officer having a letter from your Excellency addressed to Pa Bomboh and Ansimanee Konkoh, the principal chiefs in that country. We arrived there at one o'clock P.M., the latter chief being absent—those present assembled (about 30 or 40 men and women)—when Mr. Lawrence delivered your Excellency's letter to the former chief (Pah Bomboh), who requested me to read and explain to them, which I did, and the purport of which was a demand from them by your Excellency to give up to this Government three boys and one girl. A Foolah man, named Momordoo Boie, who had absconded from the colony, had taken away with him the four children. After about three hours waiting on them, during which time I endeavoured, as plainly as I could, to point out to them your Excellency's wishes, and what would be the consequence if your Excellency's demands were not complied with by them, I was cautioned by Mr. Lawrence, the officer, not to use any threat, which I did not do. Three of the children were given up to us; their names are as follow, viz.:

1. Sarboo, a boy - - about 9 years of age.
2. Do. do. - - „ 8 „
3. Daymoh, a girl - - „ 13 or 14 „

The chiefs and people present promised to send for the remaining boy, and the man who took him away, viz., Mamordoo Boie, and would send both to your Excellency. We left at half-past four o'clock P.M., and got alongside the "Fire Fly" the following morning at two o'clock. I shall, as soon as possible, submit to your Excellency the statements of the children, their names, country, age, and when brought to the colony, and by whom; what part of the colony they lived in, and with whom and by whom taken away, where to, and when brought back, by your Excellency's exertion; and the Almighty God of heaven and earth bless you and your family for this noble work in rescuing poor helpless children from slavery, and may He spare your life for the good of his people and his cause, and also for the joy and comfort of your country and family. The poor children bless you every day in their own country language.

I remain, &c.

(Signed) THOMAS GEO. LAWSON,
Government Messenger and Interpreter.

Colony of Sierra Leone, April 30th, 1853.

JOE states as follows:—I was brought by Pa Cambee, or Peter Wilson, from the Rokelle River, when very young; a Koronkoh by birth; and he brought me to the colony and brought me up after grown; he sent me and other boys over to Cum Ro Bey Creek to make farm for him. After the last Christmas he told me that wherever I choose to go I might do so, as he then considered me to be free; about four or five months, myself, Tonge, and the little girl Bamboh, were sent from here by Pa Cambee, in charge of a Soosoo man named Mormordoo, to a town in Bullom shore, named Romatangkoh; we were part of the people whom he had to pull the canoe to that place, and were delivered in charge of his wife Maria, from whom we were taken and brought back to the colony.

BELALLEE states as follows:—I am a Coso boy, and was caught in a war when very young, and sold to some Soosoo people; afterwards I found myself in charge of Pa Cambee or Peter Wilson; he also taught me to do carpenter's work; about four months ago he sent me and two others over to a town in Bullom, named Ro Matangkoh, to make farm for him, where I was taken from and brought back to the colony.

TONGE, a Coso boy, states as follows:—I was caught in a war when very young, and was brought by some of my countrymen, who left me in Pa Cambee's charge; whether I was sold or not I do not know. I have not seen any of them since that time. About four months ago, I and two of my companions were sent over, by Pa Cambee or Peter

Wilson, to a town in Bullom, called Ro Matangkoh, to work for him, from whence we were taken and brought back to the colony.

KUTAH states as follows :—I am a Coso girl ; I was caught in a war and sold to some Soosoo people, and afterwards to Pa Cambee, who, about the last Christmas month, sent me away by his wife Maria to a town in Bullom, named Romatangkho, where I was brought from, by some messengers sent to that place for me and others by Governor Kennedy, last week, Saturday.

BAMBAH :—I was born in Koronkoh country ; I was caught in a war, and sold to Teetee Thorp, who afterwards gave me to Pa Cambee or Peter Wilson, and his wife Maria ; I was sent by her (Teetee Thorp) over to Bullom, to go and make farm for Mamy Maria, where I was until the 28th April.

Statements of YEAMEE :—I was born in the Caso country, in the town called Gaindamah, and was put in pledge by my own father to a Sierra Leone man, named Tom, a trader for Peter Wilson, who carried me over from that country to Bullom shore, where he left me and came over, and from that place I was carried to Wong Kafong, where I was for about nine years, when Peter Wilson sent to bring me to Bullom, and was placed, by order of Peter Wilson, in charge of a Soosoo man named Karafah, a brother of Peter Wilson ; about two weeks after Peter Wilson send for me to Freetown, and I was under his charge ; two days after he sent me over to Bullom to do farm work for him, where I was about three years, and always by the order of Peter Wilson. I assisted my other companion to bring wood for our master, Peter Wilson, and was immeniately sent off back. About five months I was in a town called Romatangkoh, where I saw Mamy Maria come to that place, and having the girl Katah with her. I was brought back to the colony by a messenger of Pa Bomboh, chief of Cum Ro Bey, to be delivered to the Governor for freedom.

KER's Statement will be sent by the next opportunity.

The above statements were taken by me,
THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

SIR, Colony of Sierra Leone, June 2, 1853.

THE following is a list and names of children still under my care, and elsewhere :—

1. Sarrah or Charles, a boy about 7 years of age, taken from James Thompson.
2. Jarreeatoo, a girl, about 7 years of age, taken from Jane Sawyer,
3. Sally, a girl, about 7 years of age, from Jane Sawyer.
4. Kumbah (1st) „ 6 „ „ Betsy Golah.
5. Phenah (1st) „ 8 „ „ Bocarry Sarrah Koolay.
6. Mariatmah „ 8 „ „ John Ashley.
7. Phenah (2nd) „ 12 „ „ „ „
8. Yearree „ 13 „ „ „ „
9. Jemah or Lucy 8 „ „ „ „
10. Kumbah (2nd) „ 9 „ „ Mary Thompson.
11. Moosoo or Ann 6 „ „ Mary Hazely.
12. Yarkootah 7 „ „ „ „
13. Callay, or William, a boy, 10 years of age, from Miller.
14. Yeerah, or Bareenoomah, a boy, about 7 years of age, from Silimance Cabbee.
15. Sabboo Yeemah „ 7 „ „
16. John Jackson „ 18 „ sent down by C. B. Caulker, and is now employed.
17. Phebe, a girl, about 5 years of age, sent down from Waterloo by Mr. Crawley.
18. Bambah, a girl, about 6 years of age, from P. Wilson.
19. Belallee, a boy „ 15 „ „ „
20. Joe „ „ 17 „ „ „
21. Tonge (in Kissy Hospital), a boy, about 16 years of age, taken from Peter Wilson.
22. Yeamee „ „ 17 „ „ „
23. Kir, a woman - - 18 „ „ „ and in hospital (Kissy).
24. Kutah, a girl, about 14 years of age - - „ „
25. Konah „ „ 9 years of age, in Kissy Hospital, from Margaret John.
26. Mangie, or Moses, a boy 9 „ „ „ Pa Yeemee Karsey.
27. Choe, or Thomas, „ 7 „ „ „ Mr. Macaulay.
28. Tambah, or Samuel 8 „ (absconded) „ Mary Hazely.
29. Tema, a girl - 10 or 11 „ from Port Lokkoh, from Musah Carankay.
30. Cearay Korahkoh, a girl about 5 or 6 years of age - „ Maligir Ceelah.
31. Sarah - „ 7 „ „ Rachel Lesty.
32. Deebah - „ 8 „ „ „
33. Yeakie, or Maria, Government House, from Eliza Macaulay.

SIERRA LEONE.

Mr. James Thorpe, John Ashley, Betsy Golah, Jane Sawyer, and Miller,—their cases have not yet been investigated by the police magistrate. The children were taken on the 19th March and 4th of April last.

I beg to state, that instead of 119 persons, as I stated in a letter dated 28th May last, it ought to be 96 persons rescued. I had made a mistake, by adding 23 persons who are runaway slaves to the colony, for freedom, and are distinct persons, from those your Excellency had rescued.

I remain, &c.

(Signed) THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

SIR, Freetown, Sierra Leone, September 8, 1854.

WE beg most respectfully to fall at your Excellency's feet, with many thanks for your Excellency's exertion in rescuing Bayinkey, our niece and sister, from thraldom in the Quiah, sold at the libbee by a Timmanee man, named Bocarie Canloo, to a Sherbro man named Pa Fanger, from whom a liberated Mandingo man, formerly a resident of the village Waterloo (or Sierra Leone), named Sio or Cattee, bought, and kept her for nearly three years at Waterloo.

This Sio, or Cattee, ran away from Waterloo, with Boyinkey and other children, on the hearing of the Governor's determination to punish him. Mr. Phillips, the manager of that village, pursued after him to the Quiah, and was unsuccessful to obtain him or the children, on account of Sio's, or Cattee's concealment of himself and the children.

Having seen his Excellency's kindness and indefatigable zeal in obtaining her and the others from slavery to freedom, we therefore assuredly testify that Boyinkey is ours by birth; feel it our duty to crave your Excellency to deliver her over to us, and we would feel greatly indebted to your Excellency for this instance of favour.

We beg to remain,

Your Excellency's most obedient and humble servants,

his
(Signed) LAMINA × BACHAR.
Mark.
his
CALLIFAH × BOCARRY.
Mark.

Colony of Sierra Leone.
June 22d, 1853.

STATEMENTS of YEARREE, or SALLY, a girl about 12 or 13 years of age.

States as follows:—I am a Konnoh girl; about two years ago was caught in a war, together with my father, mother, three sisters, one brother, and a younger sister, who was sucking; she died four days after we were caught, on our way to the Caso country (they being the people who invaded our country). I was afterwards sold to a Mandingo man, with whom I lived for about a year; he afterwards delivered me to his brother, who brought me in the colony about a year ago, and sold me to a Foolah man, named Mormodoo, now in the colony, living in Kras Town's Grassfield; this Foolah man afterwards sold me to an Akoo woman, named Phebe Johnson, from whom, about 12 days ago, I was taken by Mormordoo Yellie, who stated to me that the Governor desired all slave children in the colony to be free. My mistress ran away; I do not know where she is gone to; she always hides me in the house and does not permit me to go out: when I attempted she severely flogged me; this took place since I heard that the Governor was in great rage about some slave palaver. There is now with that Foolah man three other children, viz., Ann, Patience, and Martha; several others were taken away to where I do not know; I was led to believe by the Foolah man who sold me, that if I went to the white people and explained to them that I was a slave, I should be taken by them to a long country, there to do laborious labour, and that I would not live long.

The above statement taken by me,
THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

Colony of Sierra Leone, June 24, 1853.

1. MONDAY CANEE, a girl about 15 years of age, states as follows:—I am a Timmanee girl, born in the territory of Port Lokkoh. Last dry season I was brought by my brother, named Adolahie, to the colony, who left me in charge of Mamy Jenny (Mrs Jane Wilson), to be raised; I waswith her for some time—I think, as I was told, for about a month,—when a young man named Saurie, who I before knew was a labourer to my said brother,

one night induced me to run away with him to go to my mother ; he carried me to Wellington, where he had a canoe in readiness, and instead of carrying me to my mother, he conveyed me to Ro lall, a town in the Quiah country, and left me in charge of Pa Mooranah, from whom I was taken, on the day before yesterday, by Pa Dabo and a constable, as I was informed, sent by the Governor for me and other children ; I was brought by them to the colony.

2. SATTAH HUWAH, a girl about eight years of age, states as follows :—I am a Coso girl, was caught in a war ; I do not know how long it was ago, but was afterwards sold to a Mandigo man, named Fa Kroo, who brought me to the colony ; I lived with him at King Tom's Point, afterwards I was delivered to a Bargah woman named Ya Commee, living some part in the Kissy Road. About two months ago I was told to go buy rum in Kroo Town's Road, close to Westend Street ; next morning I was delivered by her to a man named Fer Yon, who carried me over to Makassena Town in the Quiah country, where I was taken from by Pa Dabo and a constable, who, I was informed, were sent by the Governor for me and other children, and I was brought back to the colony by them.

3. SABBOO, a boy about 11 years of age, states as follows :—I am a Koronkoh boy ; when very young was caught in a war, and sold to a Foolah man, who sold me at Port Lokkoh to a Mandingo man ; he brought me, about two years ago, in the colony, and sold me to Mormordoo Ceelah, who about three months ago stated in my hearing that a bad Governor is now come into the colony, taking away slave people, and for which cause he will take me and the other children out of the colony. On one night he took me, Kie or Baye, and Tenna, Cearay Caranka's girl, to Ro Lall, in Quiah country, where I was taken from by Pa Dabo and a constable, who were sent by the Governor for me and others, and was brought back to the colony.

4. MARIA THOMAS, a girl about 14 years of age, states as follows :—I was born at Pa Sandy (or Lumley), a village in the colony ; my mother died when I was an infant ; the woman suckled me about five months ; this woman (Maria Ramson) ordered me to go with her to the Quiah country, that she might there get medicine for my belly, and after to send me down. She carried me to Romakassur ; I never was sent down as she told me. Four days ago I saw Pa Dabo and a police serjeant, who stated to me that the Governor had sent them for me and some slave children taken away from the colony ; I was brought back to the colony by them.

5. YAHWAH, a Caso boy, about nine years of age, states as follows :—I was caught in a war, I do not know how long was it ; afterwards sold to a Mandingo man, who afterwards brought me in the colony and sold me to a Mandingo man named Mordy Cally, who about one month ago delivered and sold me to a man named Dembah over to Ro Lall, near Ro Banna, where I was where from by the constable, and brought back to the colony.

6. TOMY, a boy about five years of age, states as follows :—I am a Timanee boy, born in the Quiah, and do not know whether I am a slave or not ; I was taken from the colony by a man named Pa Yeamee Koray, who carried me to Ro Kie near Ro Lall, where I was taken from and brought here.

7. MARTHA, or KUMBAH, a girl about five years of age, states as follows :—I am a Koronkoh girl ; I was taken away from my country by a long man, who sold me to another man ; that man stated to me, that if I was unwilling to come down he would cast me into the salt water to be drowned ; he brought me in the colony and left me with mamy—I do not know her name ; it was from her I was taken yesterday to the police office, and the white man (the magistrate) sent me to Mr. Lawson's place ; I do not know whether the woman brought me here or not.

June 25th, 1853.

8. ANN, a girl about fourteen years of age, states as follows :—I am a Coso girl ; I was caught in a war when very young ; the man who caught me delivered me to a Foolah man, named Samsonah ; about three years ago he brought me in the colony, and left me in charge of a Foolah man named Mormordoo, who lived in Grassfield, Freetown ; he delivered me to Mr. Cole and his wife ; he told me that he gave me to them to mind me, where I was until the day before yesterday ; we were brought to the police office, where I met my master.

9. PATIENCE, a girl about 16 years of age, states as follows :—I am a Caso girl ; I was caught in a war, and was delivered to a Foolah man named Amadoo, who about three years ago brought me into the colony, and delivered me to Mr. Cole and his wife, where I was until the day before yesterday ; I was brought to the police office, where I met my master, Mr. Cole.

The above statements were taken by me,

THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

SIERRA LEONE.

To his Excellency A. E. Kennedy, Governor in Chief, &c. &c.

SIR, Colony of Sierra Leone, July 12, 1853.

THE enclosed is a statement of persons who were ready, on behalf of the Crown, to give their evidence in the case of slave dealing charged against,—

James Thomson,
Mary Hazely,
John Ashley, and
Maria Wilson,

against whom the Grand Jurors for the last Quarter Sessions (June 27), have found no true bill.

I remain, &c.
(Signed) THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

Colony of Sierra Leone.

STATEMENTS of Bareemoomah and Syebatoo, both girls; also of Sarrah and Yerrah, or Edward, both boys, persons lately resued from slavery by his Excellency, Governor A. E. Kennedy, in the case of James Thomson, a liberated African, charged with slave dealing.

BAREEMOOMAH states as follows :— I know the boy Sarrah ; we were under one mistress, Nancy Kannay, at Bambara Town, Freetown ; Sarrrah was brought to the house of my mistress by a Mandingo man named Calleeloo, who left the boy in charge of my mistress, Nancy Kannay; four days after the boy Sarrah came to the house of my mistress ; Bondo, son of Nancy Kannay, came to the house few days after on a night ; I heard my mistress, Nancy Kannay, call Sarrah, and I saw them both go out of the yard ; from that time the boy Sarrah never returned to that yard. About eight days after I went with my mistress and some others to sell kolas to Mrs. Thomson ; her husband I saw was up stairs in the same house at Pademba Road ; there I saw the boy Sarrah ; I was afraid to go to speak to him or shake his hands ; my mistress immediately ordered us to return home. I left the boy there, and never saw him until on one occasion after we were brought by the Governor from Robonkoh, as I and other children were going to the Police Court ; I saw him sitting under the piazza of a large house in Takey's master's street (George street), selling kolas. About two months ago, when I and my companion went up to the Governor, before I was sent to school, I reported of this boy to the Governor, who immediately gave orders for the recovery of the boy Sarrah ; he was recovered and taken to the Police Office from Mr. Thomson's house, then to Mr. Lawson's house by the order of the Police Magistrate. I was present when all this was done. I do not know how long it is ago since the boy Sarrah was brought to the house of my mistress ; I am certain that it is above a year. At the time Sarrah was brought there was another girl brought at the same time ; the girl died. I heard my mistress, Nancy Kanny, state that she would sell the boy Sarrah, for fear he should also die, and she would only be losing her money for nothing. She stated these words a few days before the boy was taken out of the yard ; the boy had a bad sore at the time.

SYEBATOO states as follows :— I know the little boy Sarrah in my former master's (Samircee Ceelah's mother-in-law's, Nancy Kanny,) yard, Bambarah town, Freetown ; he was brought to that yard last year dry season, by a Mandingo man named Calleeloo, and he left the boy Sarrah in charge of Kanny, where I always saw the boy ; a few days after the boy came, a man named Bondoo, son of Nanna Kanna, came from the country, and a few days after the arrival of that man (Bondoo) I was sent to Nancy Kanny's yard, where I missed the boy Sarrah ; about seven days after I, Barunoomah, and Nancy Kanny, went to sell kolas to Mrs. Thomson at Pademba Road ; I saw Mr. Thomson ; I saw the boy Sarrah in the kitchen ; I was afraid to speak to him ; Nancy Kanny ordered us (I and Barunoomah) to go home ; we left the place ; I never saw him after that until on another occasion I carried kolas for sale to Mrs. Thomson to her new house in the street where the large church house is. About two months ago, when I and several other children were up to the Governor before being sent to school, we reported it to the Governor relative to the boy Sarrah. The Governor gave orders to recover the boy Sarrah to freedom ; the boy was recovered by Mr. Mitchell (the police superintendent) and a constable, taken to the police office, afterward to Mr. Lawson's house. The boy Sarrah was not Nancy Kanny's son, but her slave ; I know this, because all the children in my master's (Sannosee Selah's and Nancy Kanny's) yard knew we were slaves. I heard Nancy Kanny state some time ago, when one of the slave girls died, that she would sell this boy Sarrah, for fear he would also die, and she would lose her money for nothing ; the boy is a Koronko by nation.

SARRAH, a boy about seven years of age, states as follows :—I am a Koronko boy; I was caught in a war, and was sold by the man who caught me to a Mandingo, man whose name I have forgotten ; he brought me to the colony, and conveyed me to Mammy Nancy Kanny's house. I was with that woman for some time; she afterwards sold me to Mr. Thomson ; Mammy Nancy Kanny conveyed me one night to Mrs. Thomson's house at Pademba Road ; I know she sold me to him, because I was brought from my country as a

slave caught in a war, and that Nancy Kanny was not my mother, but owned me as her slave. Some time after this I was taken by Mr. Thomson from his house at Pademba Road to his new house near Mr. Dougan; I was there until I was taken by a constable, Amadoo Yellie, to-day, with Mooranah, Sye Batoo, and some others, to the police office, from where I was sent to Mr. Lawson's house.

YEERAH, or EDWARD, a boy about seventeen years of age, state as follows:—I know the little boy Sarrah, at Nancy Kanny's yard, Bambarah town, Freetown; the boy belongs to her: he is a Koronkoh boy. I often visit that yard, and am well acquainted with all who are in it. I, on one morning, called there to see Mammy Nancy Kanny. I missed the little boy from the yard. I asked the girls in the yard for the boy. Bareenoomah, one of the girls, told me that Mammy Nancy Kanny and the little boy Sarrah went out last night, and that she returned without the little boy Sarrah. I heard Mammy Nancy Kanny state, when her little slave girl died in her yard some time ago, that she would sell the boy Sarrah, who then had a sore toe, for fear also he would die, and she would lose her money for nothing. Some time after that I went to Pademba Road to sell palm oil; as I was passing by I saw the boy standing by a gate of the yard in that place. I called the boy, but he was immediately called in by some one who I did not see, only heard the voice; after that I saw him with a pail on his head going for water from a large house opposite the house where the Governor's letters are written (Secretary's office) one afternoon; he was brought by a constable to Mr. Lawson's yard, where I was then myself, being brought back to to the colony by the large steamer "Penelope" from Medina. I was told by Mr. Lawson, who I also saw with the officers who went in the boat over to Medina, that it was by the directions of the Governor.

(In the case of John Ashley, a liberated Aku, charged for slave dealing.)—YEARRE, a girl about thirteen years of age, states as follows:—I am a Koronkoh girl. I was caught in a war, and was sold to a Foolah man, named Sanasee; this man delivered me to his brother, Mody Cabba, who brought me to the colony last year's dry season. This Foolah man, with three others and a Foolah woman named Mary, one night conveyed me to the house of John Ashley, at Kroo Town Road, Freetown, with whom Mody Cabba and those who accompanied him to that house (John Ashley's) had long conversation. I saw John Ashly take out some money and pay to Mody Cabba, the Foolah man who brought me to the colony. I do not know the amount of the money given; he left me after the money was paid by John Ashley to his hands, where I was from that time until about three months ago, when I saw constables who led me to the police office.

While I was with John Ashley, I recollect one night seeing two Mandingo men, Mamadoo and Mamadoo Bori, bring a little boy, named Saboo, to the house of John Ashley, he (John Ashley) changed the boy's name to David; the boy was with him about three months. One day I was out to sell foofoo, when I returned home in the evening I missed the boy Saboo, or David, from the premises. John Ashley informed me that, as the boy liked to run away, he had delivered him to Mamadoo Bori. I never after that day saw the boy until when I was sent to Mr. Lawson's house from the police office. I meet the boy Saboo, or David, then, and was informed that the boy was brought back by the direction of Governor Kennedy from the country,

PHENA, or SUSANNAH, a girl about twelve years of age, states as follows:—I am a Koronkoh girl; I was caught in a war, and was delivered by the man who caught me to his brother; he was a Koronkoh man who brought me to the colony, and conveyed me to a Foolah man's house, living in Kroo Town's Road, Freetown. On the same day I saw a woman, whom I afterward knew to be Mrs. Ashley, come to that house and examine my body; after that she went out and shortly returned. I saw when she counted out some money and gave to the man who brought me. I do not know what was the amount, neither do I know how long it was ago when I was brought to the colony. Two Christmases passed away while I was in the colony. I also meet the last Governor, who went away, in the colony. I recollect on a night, in the house of John Ashley, I saw two Mandingo men; I knew them. Mamadoo and Mamado Bori brought a little boy, named Saboo (his name was afterwards changed by our master, John Ashley, to David) to John Ashley; the boy was with him for some time; he ran away twice or thrice. When he was found the last time, I saw Mrs. Ashley one day send for Mamodoo Bori (one of the persons who had before brought the boy), and delivered the boy to him. I after that never saw him (the boy Saboo) until about three months ago; I met the boy at Mr. Lawson's house, where I was sent to by the police magistrate. The boy informed me that he was brought back from the country by a man-of-war's boat, sent for him by Governor Kennedy. I told him that God would bless the Governor.

MARIAMAH, a girl about eight years of age, states as follows:—I was born in the Sherboo country; was caught in a war by a Coso man; he sold me to a Mandingo man, who brought me to the colony and conveyed me to Moosooman's house in Kras Town Road, Freetown. That man delivered me to a Mandingo man one night, who conveyed and delivered me to Mrs. Ashley (I was brought to the colony since last year, Christmas), where I was until Governor Kennedy sent a white man (Mr. Mitchell, the Police Superintendent,) and some constables, to take me to the Police Office. This was told to me by

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one of the constables. When they and the white man came to our house, we were hidden by John Ashley up a loft of his house, and were covered with coarse mats; it was I myself and another girl.

Mamadoo Yellie, with the constables and the white man, got up where we were hidden and brought us down. I and three other slave girls were taken from him to the Police Court.

While I was with Mr. Ashley, I recollect one night seeing two Mandingo men bring a little boy, called Saboo, to Mr. John Ashley's house. He changed the boy's name to David. One of the men that brought the boy Saboo on that night, I lately saw him in gaol, and was told for slave palaver; I am not sorry for it. The boy Saboo was there for some time afterward; desired his wife, Mr. Ashley, to deliver the boy to one of the same persons that brought him (Saboo); this took place in my presence. I never saw the boy until I meet him at Mr. Lawson's place, where I was sent to myself by the Police Magistrate; this was about two months ago.

SABOO, a boy about eight years of age, states as follows:—I am a Koronkoh boy. I was caught in a war and sold to a Bundookah man, who brought me to the colony and sold me to Mamodoo Bori, who is now in gaol for slave palaver. I was with him for some time. He one night, with another Mandingo man, led me to the house of John Ashley, in Kroo Town Road, Freetown, where he left me in charge of that man (John Ashley); whether I was sold to him or not, I do not know. John Ashley every day flogged me, and put pepper in my eyes, and ill-treated me worse than a slave; I was obliged on this account to run away. When his wife last recovered me, I hear John Ashley said to her to deliver me back to my former master, Mamadoo, who one night led me to the waterside and placed me in a cance, and I was carried off to Cum Ro-Bey, where I was until Mr. Lawson and plenty white people came to and made palaver for me and other children taken away from Freetown to that place by Mamadoo Bori. I hear and see Mr. Lawson talk a great deal; he said that if I, Forae, another boy named Saboo, and a girl named Damoh, were not given up to them, that by order of the Governor the place will be burnt down; to ask this he state to Pa Komboh, the chief of the place, and his people. I, and two of those already named, were given up to Mr. Lawson, who with the white people brought us alongside a steam-ship in the harbour, and in the next morning landed on shore to the Government wharf. I was conveyed by Mr. Lawson to his house, where I was for about two months, and from thence was sent to a school at Gloucester by the Governor.

STATEMENTS of Yahkattah and Musoo, both girls. (In the case of Mary Hazely, a liberated African woman, charged with slave dealing.)

YAHKATTAH, a girl about seven years of age, states as follows:—I am a Timmanee girl. I was caught in a war and sold to a Foolah man; his name I have forgotten; he brought me to the colony, and conveyed me to the house of another Foolah man, and I was in that house about a week. I often saw a woman, whom I afterwards knew to be Mrs. Mary Hazely, come to the same house during the time I was there, before I was carried or led to Mary Hazely's house; I saw her count some money and give it to the Foolah man who brought me to her house. The time I went or was led to her house I met a boy named Kaekootah, living with her. I do not know who had brought that boy to her, whether he was a slave or not. I do not know Mrs. Hazely was not his mother; he was a Korankoh boy. One day I was down to the waterside of Gibraltar, selling tobacco for my mistress (Mrs. Mary Hazely), when, as I was coming up from the waterside, I saw her, a Mandingo man named Cabbah John, the boy Kaekootah, and some others, going down the waterside. I returned home (Mrs. Hazely's house); Mrs. Hazely, after she came home, gave me a severe flogging for my going down the waterside. I heard her stated that the boy Kaekootah was too thief, and that she had sent him to the country by Cubbah John. I never saw Kaekootah or Cubbah John since.

MOOSU, or ANN, a girl about six or seven years of age, states as follows:—I am a Timmanee girl. My father and mother died when I was very young. The man who took care of me after I was grown a little gave me to a Foolah man, who brought me to the colony, to a Mandingo man's house, who gave me to Mrs. Mary Hazely. When I went or was led to Mrs. Mary Hazely's house, I met a boy named Kaekootah with her,—the boy is a Korankoh; also Yahkootah, and another little girl, who died shortly after. Some time after this I heard Mrs. Hazely state that the boy Kaekootah was too thief, and like to run away, and that she would send him to the country. The following day after that I saw and was present when she called the boy Kaekootah, and went out of the yard with a Mandingo man, named Cubbah John, with whose wife I was afterwards placed by Mrs. Hazely to help to carry her young child. Cabba John bought plenty of beads from my mistress at the time he carried Kaekootah. I never since saw Kaekootah nor Cabba John. I was with his wife for long time before Mr. Hazely took me away from her. I was taken away from Mrs. Hazely's house by a constable to the Police Office, and from there to Mr. Lawson's house.

STATEMENTS of the girl Kutah, Joe, and Belalle, persons lately rescued from slavery by his Excellency the Governor, from Romatang Boh ; also, of King Mauro, Pa Kotee, and Pa Bolo, messenger of Pa Bumboh, chief of Cum Robey, in the Lokkoh Marsamah country. (In the case of Maria Wilson, a liberated African woman, charged with slave dealing.)

KUTAH, a girl about fourteen or fifteen years of age states as follows: I am a Coso girl; I was caught in a war when quite young, and sold to a Soosoo man, who carried me to the town of Mungofung, a town in Sumbuyah country. I was afterwards, about three or four years ago, sold to Peter Wilson, a liberated African, who brought me from that country to his house in Freetown. He gave me to his wife, Maria Wilson, with whom I was in the same house with Peter Wilson, until on the last Christmas month she ordered me to go to the waterside at Gibralter Point, where I met a canoe was in readiness ; she bid me to get in her (the canoe), and I did so, and was carried off to a town called Ro Matankeh, in the Bullom shore, where I was until about two months ago, I saw Pa King Mauro, Pa Kotee, Pa Bolo and Fodae Mooranna came to that place, and brought me and some others back to Freetown ; they stated to us that it was the Governor who send them for us.

JOE, a Sherbo young man, about seventeen years of age, states as follows :—I am a Sherbro born, and was caught in a war, and sold to a Soosoo man, and afterwards by that man to Peter Wilson. I concluded that I was sold to Peter Wilson, in Freetown, by that Soosoo man that brought me to his house, because he did not get me for nothing. I know the girl Kutah ; we all belong to one master. I was present when she was brought from the country, and I know when Peter Wilson gave her to his wife Maria Wilson. On the last Christmas month, I recollect hearing Mammy Maria Wilson order the girl Kutah to go down to the waterside ; the girl Kutah, Mammy Maria Wilson, myself, Tongu and Belalle, who carried a box, went down to the same wharf (Gibralter Point), we got in a canoe which we meet there, and was in readiness to take us, and we were carried off to Roma Tangkah, a town in Bullom (Belalle did not go with us), where we were until about two months ago. We were brought back to the colony by Pa King Mauro and some others.

BELALLE, a lad about fifteen years of age, states as follows :—I know the girl Kutah ; I and she belong to one master, Peter Wilson; I met her in that man's house. Kutah was more with Mammy Maria Wilson, our master's wife, and I heard her state that the girl Kutah was her own property, given to her by her husband Peter Wilson. About the last Christmas month, I heard Mammy Maria Wilson order Kutah to go down to the waterside; I also was ordered to carry a box belonging to Mammy Maria Wilson ; the girl Kutah, Maria Wilson, Joe, Tonga, Yeamy, and myself, we all went down to that waterside (Gibralter Wharf); the girl Kootah seemed very unwilling to go; she was ordered by Mammy Maria Wilson to go in a canoe we met down to that waterside was in readiness; they all got in her except myself, and I saw when the canoe went off with the girl Kutah and the rest from that wharf. Few days after I was also sent off by my master, Peter Wilson, and a little girl named Banbah to a town in Bullom ; there I met Kutah, the girl, and the others; we were in that place, until about two months ago, I saw Pa King Mauro, Pa Bolo, Pa Kotee, and Foday Moranna come to that town, and brought us, as they say, by the order of the Governor Kennedy to the colony, The girl Kuta, she is a Caso girl, and was loved, as well as myself, by Peter Wilson and his wife Maria Wilson.

PA KING MAURO, a principal messenger of Pah Bomboh, the present chief of Cum Ro Bey, a town in the Lokkoh Marsamma country, Bullom, states as follows:—About two months ago, I came to the colony with Pa Bamboh and other chiefs of my country, Lokkoh Marsamma, to see the Governor, and to receive the stipend due ; the Governor requested of Pa Bombah, in my presence, to deliver up to him from his country certain persons taken away from the colony, viz., Kutah, Bamba, and Kie, females ; also Joe, Belalle, and Tongu, males, by Pa Cambee, or Peter Wilson, and his wife, Maria Wilson, to a town near Cum Ro Bey, called Ro Matongkoh. I, Pa Kotee, and Pa Bolo, was sent by Pa Bomboh ; the Governor gave a man named Fodae Morannah to go up with us. We went up and recovered the girl Kutah, and the others who were named by the Governor, from the very place, and brought them down to the Governor. Maria Wilson told me that the girl Kutah was not a queen's girl, but her own lawful slave, and that she did carry her from the colony to the country to do her works.

PA-KO-TEE states as follows:—I am a native of Lokkoh, Marsammah country, and a son of Pa Tomsow, one of the late principal chiefs of that country, died now many years ago. I know the woman, Maria Wilson ; she is a liberated African, and a wife of the late Peter Wilson, or Pa Cambee, who, I am told, died in gaol charged with slave dealing. About three or four years ago he went up to Bey Mauro, the late king of that country, to ask permission for a place to make farm ; the late king grant him his wishes, and placed him at Ro Matongkoh, under my care, last year (now about eight or nine months). I saw Peter Wilson come up, as he said, from Freetown ; he brought up six persons, viz., Joe, Belalle, Yeamy, Tongu Saloofu, and a woman called Kie. Few days after he

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returned, as he said, to Freetown, with four of the boys. A month after I saw his wife, Maria Wilson, and a slave girl called Kutah, and three of the boys, before came up with her husband to Ro Matongkoh. Few days after I saw a little girl named Bambah, and a lad called Belallee, were brought up by a canoe to that place (Romatangkoh. Maria Wilson states to me that the persons they had brought up by both her and her husband were their slaves, and that they had brought them to the country to do farm work. About two months ago I came to the colony with Pa Bombah and other chief of our country to see the Governor, and to receive the stipend due on the treaty between our country and the Queen of England. I was sent by Pa Bombah to go up with King Mauro and Pa Bobo to Romatangkoh, for the very persons Peter Wilson and his wife, Maria Wilson, had carried up, and told me were their slaves some time ago. I went up, because I had more knowledge of the persons named in the Governor's list, to Pa Bombah, and the town Romatongkah was under my charge or care. After some difficulty we obtained the whole, and another lad not named in the Governor's list, and brought them to the Governor; we brought also Maria Wilson as a prisoner.

PA BOLO, one of the messengers sent by Pa Bombah with Pa King Mauro, states as follows:—I have nothing to state. What Pa King Mauro stated is also what I have to say; he was the principal messenger. I was also sent up with him and Pa Kotee to Ro Matangkoh by Pa Bumboh for Kutah and others; we got them, and brought them to the Governor. Mammy Maria Wilson tell me that the girl Kutah was her own slave, and that it was she who carried the girl Kutah frem Freetown to Romatangkoh to do her work, because she was her slave.

The above statements were taken by me,

THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

Colony of Sierra Leone, August 29, 1853.

STATEMENTS of MANJAH or CHARLOTTE, a Caso girl about fifteen or sixteen years of age, who was brought down from Ro Cooppoorley, by John Macaulay, a police serjeant, sent up to Gambia, a town on the banks of the great Scarcies river, by his Excellency A. E. Kennedy, Governor-in-Chief, for the purpose of rescuing three children taken from the colony about seven months ago by certain Mandingo men, viz., Mara Foolata and Mormordoo Karankey. She states as follows:—

I am a Coso girl; I do not now recollect how long ago it is since I was seized by the headman of the town where I was born (in the Caso country), he accused one of my uncles about one of his wives; that man brought me down to the Gallinas, and there sold me to a Spaniard named Manuel; the Spaniard afterward gave me and some other children to live with a black Portuguese man, named Anthony, who was then working as a carpenter for him; short time after this, my mistress, Nelly Harding, came to that place; I was informed she was Anthony's wife (she stayed with him, and was with him all the whole time all the whole time she was there, and until some time after our arrival in the colony); shortly after this, Anthony and her made preparations to leave the place, when I heard her state to Anthony that she liked to have me. I saw both of them go to the Spanish man, Manuel; what they said or did there I do not know; a little after their return from that man, I and a boy named Francisco were bid, by both my mistress Nelly Harding, and Anthony, to follow them; we left the town or place by the land road, and in two days arrived at Cape Mount. In that place (Cape Mount) a girl was offered to Anthony for sale; I saw both Nelly Harding and Anthony examine the girl, and she was bought by them, and did not see when she was paid for by them. We remained long at Cape Mount, and then were placed on board a vessel by them, which brought us all from that place to the colony. I, the boy Francisco, and the girl bought at Cape Mount, were strictly cautioned by both Nelly Harding and Anthony to say (if anybody should ask us whether we were slaves or not) that we were given to them by our parents to raise and teach, all of which was not the truth; we had eight days on our way to the colony; we were placed below the deck of the vessel, and never was permitted to come on it before the day the vessel anchored in this harbour; we were then brought ashore by them, and conveyed to the house of Nelly Harding, situated in the Commissariat (Walpole Street), Freetown; we came to the colony above two Christmases before the Spanish man who was last hung in the colony for murdering the late Mary Harding (in 1848), a cousin of my mistress, Nelly Harding. A little before that event Nelly Harding left Anthony and lived with another man, Mr. Thomas Buckle (a liberated African); about two years ago she went with that man up to the Scarcies river, and carried me with them; we first went to a town called Boobooyah, a little above Gambia, then removed to the latter place, and from thence to Ro Cooppoor; during the period I was with them, I was treated by her in a most cruel manner: she always be telling me that I was her slave,—that if she should kill or sell me, no one would ask or harm her for it; all the marks you see on my person are caused by the severe whipping, and pinching of her nails I often received from her, and sometimes from Mr. Thomas Buckle; she offered to exchange me for a younger girl, at the time we were at the former place (Boobooyah) from a Soosoo man, named Ceray Foday, of that place;

that man refused doing so, on finding that I could speak little of the English language; this I was told by the man Ceray Foday himself, and some of his people about him, one of them named Saidoo, and also by a young woman of the colony, named Patience O'Connor, a Nova Scotian descendant; so I was without any helper, and in danger of being sold as a slave every moment. God helped me; on last Wednesday (24th instant), about 12 o'clock in the day, as I was at the waterside of Ro Cooppoor, I saw a boat pulling towards the shore where I was, and in her was a man who had on the police dress; as soon as he came on shore I ran up to him, and begged him in the name of the Queen and the Governor not to leave me; I also explained to him all my sad condition. He took me in custody and protected me; he after this bid me to follow him up to the town to see my mistress and some of the old people or headmen of the town; after some conversation with them he bid me to follow him into the boat; my mistress began to cry, the people of the town expressed their gladness at his conduct towards me. I was then taken down to the boat by the man (his name I learnt was Serjeant John Macaulay); we left that place the same day, and on the evening of last Friday, 26th instant, I once more (thank God, the Queen, and Governor Kennedy) landed in Freetown safe, I was conveyed by him from the waterside, with two other children he had got from Gambia; to the house of Mr. Thomas George Lawson, the Government messenger and interpreter. I think from the time she had me at the Gallinas to this day is about nine or ten years. Nelly Harding is colony born woman, a Maroon descendant of this colony. The last year, rainy season she left me with Mr. Thomas Buckle at Ro Cooppoor for Freetown (that is, she left us at Ro Cooppoor and came to Freetown); that man in the night, as I was sleeping, came to the place where I lay, and forced me; all I could do availed me nothing. This he done me thrice, and so got me with child. About five or six months after my mistress returned and found that I was heavy with child; she inquired of me to know by whom I got with child. I told her the truth of the matter, and how I could not help myself out of the hands of Mr. Buckle. She told me that I never would born that child alive, and instantly began severely to flog me, and kicked on and under my belly until I feel pains come on me, which I never recover from until about two months after, when I deliver and brought forth a dead boy child into the world, owing to the severe kicking on and under the belly I had from my cruel mistress, Nelly Harding; my own life have been narrowly escaped or spared from death at the time I give birth to the dead child.

The above is the statement of the girl Manjah or Charlotte, brought down from Ro Cooppoor, a town on the banks of the great Scarcies river, by John Macaulay, Police Serjeant, on the 26th instant, which I herewith beg to submit to your Excellency.

I remain, &c.

(Signed) THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

To his Excellency A. E. Kennedy,
&c. &c. &c.

Colony of Sierra Leone, September 2, 1853.

STATEMENTS of MOSES RENNER, a liberated African, who was an eye-witness to some of the ill-treatment done to Manjah or Charlotte by Nelly Harding at Ro Cooppoor, a town situated on the banks of Great Scarcies River; and also the Statements of ISAAC COKER, a colony man who was also at the same place for a short time.

MOSES RENNER states as follows:—in the dry season of last year I was employed by one Mr. Richard Cathcart, of Freetown, from the colony, as a captain of his canoe, and went up to Ro Cooppoor, where I was at the time Nelly Harding, Mr. Thomas Buckle, and a girl named Manjah or Charlotte, their servant, came down from Gambia to that place, about the beginning of the rainy season that year; she came to Freetown, leaving the girl with Mr. Thomas Buckle. About four or five months after she returned from Freetown to Ro Cooppoor, and found that the girl was big with child (which we all in the place had seen) by Mr. Thomas Buckle, as was reported about in the town. The morning after her arrival, I went with Mr. Thomas Buckle out fishing in a canoe; we returned about 12 o'clock A.M. the same day, when as soon as I entered with Mr. Buckle to his residence, Nelly Harding came up to him, and in my hearing stated as follows: "Is it you that got my servant girl big with child?" He denied of doing it; they both got to fighting, which lasted the whole day and part of the night. A little before the fight took place I left them and went to my lodging, where I met the girl crying in the piazza of my landlord, old Pa Santigie Saidoo Boson, who was and is the present headman of that town; about half an hour after I saw Nelly Harding came to him and threatening to punish the girl; the old man told her that he would not allow her to do anything more to the girl. I heard her state again to the old man that the girl was her own slave she had bought at the Gallinas for a doubloon, given to her by a former man she had lived with some time ago, before she came to live with Mr. Buckle, and that if she would kill, sell, or injure her, there would be nobody to ask or harm her for doing so. The old man paid no attention, nor permitted her to touch the girl that time. The following morning, about 7 o'clock, she returned to the old man's yard, having in her hand six bundles, each consisted of four switches of about the thickness of a large size quill, tied together; she then said to the old man that she must have the girl; she then began to flog the girl, whom she met sitting by the old man in the yard, with the whip she had

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brought, bundle at a time, until the whole were broken on her person; the old man got vexed and went into his house. About half an hour after the flogging she sent the girl to go down to the waterside to wash some country cloth; the girl went (I all this time was in the piazza of the house I resided), and in a few minutes after I saw the girl running back to the yard; Nelly Harding was behind her, both came to the yard, when she the second time flog her; the girl sat on the ground while she, Nelly Harding, was flogging her; all at once I saw Nelly Harding drew and raised her right foot and kicked the girl severely on her belly, which caused the girl to fall flat on her back; Nelly Harding then walked away, and stating as she was going to the old man, "you may have the girl now and keep her for three years."

Since I left the town, Ro Cooppoor, for Freetown (to-day is the fifth day), I was very glad when I heard at that place that the girl was brought down by a boat the Governor had sent up to Gambia.

September 5, 1853.

ISAAC COKER states as follows:—About five months ago I went up to Ro Cooppoor, a town in the great Scarcies, for the purpose of trading. I met several Sierra Leone people there trading. On one occasion I went to see Mr. Thomas Buckle, who keeps Nelly Harding as a wife, but not his lawfully married wife. The following day I repeated my visit, when, in a conversation with Nelly Harding, she told me that her servant girl Manjat had run away, and if she should get hold of her would beat her very severely. She asked me to assist in looking for her. I had on the previous day seen the girl concealing herself in their landlord's farm, and was afraid to mention it to her, as she stated that she would hurt her. Two days after, on a morning, she, Nelly Harding, found the girl in my house, where she had come to take shelter for the preceding night, as she had no place to go to, and was afraid to go to her mistress's house. Her mistress then lodged a complaint against me to a man named Larkie Korombae, the next man to Pa Santigiere, Saidoo Boson, the head man of the town, that I had concealed her servant girl Manjat in my house. I was called up, and the charge was arraigned on me. I told the old man and all who were present that I had seen the girl, and that I would have carried her home to her mistress, but that I was afraid to do so, because her mistress had told me two days ago that if she got hold of her she would hurt her; and as I know that we all belong to Sierra Leone, and are the Queen's free subjects, therefore I did not carry the girl to her mistress, but gave her a shelter under my roof or house. The old man dismissed the case, by saying that he had nothing to do with the matter, and that we could go and have the same settled in Sierra Leone, and told me to beg Nelly Harding pardon. I told the old man, in the presence of Nelly Harding and all who were present, that I would not do so, as the girl had told me that she was a slave to her, and desired to go to Freetown to the Governor to claim her freedom. Nelly Harding, hearing those words, rose up and held me by the collar of my jacket, and shook me hard. I, too, rose up in order to defend myself, when she said to me that she was only jesting or playing with me. I told her that I did not like such a play as that. After that I gave two heads of tobacco to her to appease her mind, and requested her not to touch or beat the girl any more. Since I left the town, Ro Cooppoor, to-day makes one month and five days.

SIR, Sierra Leone, September 7, 1853.

THE above are further statements respecting the girl Manjah or Charlotte, brought down by John Macaulay, police sergeant, on the 26th of August last.

I remain, &c.,

(Signed) THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

To his Excellency A. E. Kennedy,
&c. &c. &c.

The above statements taken by me.

THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

SIR, Colony of Sierra Leone, Freetown, January 18, 1854.

YOUR humble handmaid is not able enough to express herself in the English language of the wonderful and affecting event which had taken place with her in the re-embracing of her daughter Boye, now known by the name of Kootah, whom your Excellency has rescued from slavery. I and this my daughter were torn away from our native country by violent hands. I was taken away from her, and sold to the Spaniards, at the Gallinas, some years ago; she was then quite a child of about five or six years of age. Through the great blessing of God, the vessel in which I and a great many were embarked as slaves had been captured by one of H.M. cruisers, and we were brought and liberated in the colony, where I have since borne four children—two boys and two girls. Some time in last month, little before Christmas, as I was in the market of Murray Town, near the Cape, selling acros, I saw this child Kootah come to buy some from me. I looked very earnestly on her; she also stood looking earnestly on me; my bowels yearned with sorrow in my heart, finding her much to resemble my daughter, from whom I had been torn away by force. I spoke to her, and by my examining the child in a way

of questioning. I found her to be my very daughter I left, now about eleven years ago. I asked her how she came here. She told me that she was sold by the people with whom she was left after my deporture from that country to some Soosoo people, who conveyed her in a canoe from that country to their country, and afterwards was brought from thence to the colony, and sold to a man named Peter Wilson, now dead in the gaol for slave dealing, who sent her and some other slave persons to a town called Romatangkoh, from where your Excellency, through great trouble and expense, has rescued her and others from slavery to freedom. I do not know what to say nor what to do, but to fall down upon my knees to thank you, the Queen, and all the good people of England who are doing such wonderful works for us unthankful Africans. May God bless you, the Queen, and them, and may God ever give her and all the people of England the victory over every one that rise against them, and may she ever conquer all her enemies. Your humble handmaid will feel greatly thankful to you if your Excellency will be pleased to permit the child to go with me to my dwelling at Murray Town, where the Queen has allotted me a piece of land, and where I have my own house, dwelling with my own husband in freedom, peace, and quietness, that she, myself, her two sisters, and brothers may enjoy each other's mutual comfort and associations in the same peace and comfort as that of a family.

I remain, &c.
(Signed) MARIA × SHILLING. Her mark.

Colony of Sierra Leone, May 4, 1854.

STATEMENTS of MUSA, a Coso lad of about 15 years of age.

I am a native of the Coso country. When I was very young my mother placed me under the care of a woman, who was one of her relations. Her husband hearing that war had invaded and destroyed the town in which my parents were, and that they were taken prisoners in the war, he sold me to another person, who afterwards sold me to Conray Kumbah (John Fortune), for paioder, who after that sold me to a Soosoo man, named Sourie, of Morobiah, at Conray Kumbah's Town. I and several other slaves were placed in a large canoe by my Soosoo master and other Soosoo people; on our way the other slaves were landed to a Timmanee town. I do not know the name of that town, nor the river that led to it; they were to go by the land road, and the canoe was to go round to meet them in another place in the Timmanee country. I remained in the canoe to attend on my master. On our way to the place to meet them a man hailed us as we were passing by York, and, as soon as we landed, the canoe was captured by that man, and he brought us to Mr. Palmer, the manager, who was then at Kent. I was detained by him, the canoe restored to the Soosoo people; this took place at the commencement of the last rainy season, 1853. I remained with Mr. Palmer since that time; he treated me very unkindly, and doing all kinds of hard work, until last month I ran away to a man at Kent, who on the following day told me to follow him, and he brought me to a white man named Mr. Baltman, who on the same day sent me by a man to another white man in the police court in this town, and I was sent by him with a constable to this yard (Thos. G. Lawson's). I never before this came to this town (Freetown).

SIR, Colony of Sierra Leone, May 4, 1854.

I BEG most respectfully to submit the following statements for your Excellency's information:—That, in obedience to your Excellency's order of the 6th ultimo, on board H.M. steam vessel "Myrmidon," then off Bintee Point, Mellicourie River, I left Maliziah three days after date (the 7th ultimo) you left that place (Maligiah), with your Excellency's letter, addressed to Alimamee Sarleah, chief of Barayeera, where I arrived on the 12th, accompanied with Mahamodoo Tooray, a credited messenger of Bamba Mama Lahie, chief of that place (Maligiah). On the afternoon of the same day I and that gentleman waited on Alimamee Sarleah, the chief of that place (Barayeera), and I delivered your Excellency's letter in the presence of fifteen of his principal head men. He requested me to have the same read to them, which I did. The letter, dated April 6, 1854, written on board of H.M. steam vessel "Myrmidon," the purport of which was a demand made on him by your Excellency for a woman named Sally Hughes, held in slavery by one Seera Fooday of that place. Seera Fooday was sent for, and acknowledged the having of the said woman in his possession, as your Excellency will be pleased to see as per his statement enclosed. The chief and all present seemed very much pleased with us, and to be quite willing to comply with your Excellency's demand, only desire to know how they may be able to recover the value of the woman. We parted that afternoon; the woman was sent for on the next day, the 13th. On the same morning we attended on the chief, who gave us very good hope of obtaining the woman. About half-past five o'clock p.m. of the same day Seera Fooday paid us a visit to our lodging, and gave us good hope by stating plainly to us that the woman will be given to us to-morrow, and that Boye Moodoo has agreed to do so; only he desired that the Governor may be pleased to return her value, as they are not to be blamed, but Callo Moodoo. Shortly after his leaving us a messenger came to Mahamadoo Tooray, stating that

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Mr. Nathaniel Isaacs (a European merchant residing on Matacong Island) had arrived and desired to see him. He went with the messenger, and returned at midnight, about twelve o'clock.

14th.—This morning we visited the chief, and were very anxious to obtain his answer; he promised that on that day he would give us an answer. After two o'clock p.m. we returned to our lodging, and again waited on him at the appointed hour. He then sent for the different head men in the place, and then requested us to withdraw from among them for a while, until they had consulted together. We did so, and in about an hour and a half's time returned to them, and met Mr. Nathaniel Isaacs, and Mr. John Johnson, a European gentleman employed by Mr. Isaacs. I met, in the hands of Mr. Isaacs, the very letter your Excellency has sent by me to that chief. The chief and head men said to us that as they had not as yet come to any conclusion, they desired that we should still keep away for awhile. Mr. Isaacs replied that he had no objection for Mahamadoo Tooray to remain, and that, if I like, I too may do so; that on his account he has no objection at all for us to remain. He asked me whether I am certain that the woman for whom your Excellency had sent me up to recover was a British subject. I replied that I do not know. He then took up an old printed circular letter from the late Governor, Mr. Macdonald, to that chief; in fact it appears that whatever correspondence had passed between this Government and that chief were placed before these two gentlemen. Mr. Johnson had the treaty between that chief and this Government in his hands, reading. We sat down for awhile; other conversation was then resumed, and were after all without any answer, and obliged to leave them with a promise to us that in the morning we will get their answer. About eight o'clock p.m. of the same day, old Namina Mahmoodoo came to our lodging, desiring us to see Alimamee Sarleah that night, because he perceived that some one wants to make a fool of Alimamee Sarleah; and as he is the person who is always sent to Sierra Leone, he does not like to see that I should go without the woman. He states that Mr. Isaacs has advised them and the chief not to give the woman up, and that the Governor has no power to make them give up anybody out of their country. At this time my partner, Mr. Mamadoo Tooray, being absent, immediately I employed a man to go in scarch for him, and, in the meanwhile, begged the informer to wait and see him. In about an hour he came, when the informer repeated what he first stated to me; after which we went to the chief, and there had a long talk with him. All his reply was, "In the morning I will give you an answer."

15th.—Early this morning we waited on the chief. To our great surprise and disappointment, we received a verbal answer from him to your Excellency, stating that I should give his kind compliments to your Excellency, and to acknowledge the receipt of your letter to him, and to say that there is no British subject held in slavery in any part of his territory, and that if there were any, he would see that such were delivered up; and that the woman Sally Hughes was there, but she is a Timmanee woman, and not the Queen's, and that they cannot deliver her up in defence of any trouble, and that they are prepared to meet all difficulty regarding it. All that we could say availed nothing. We left Barayeera the same day, and on the evening of the 16th arrived at Maligiah, and reported the whole of the circumstance to the chief of that place.

17th.—This day I desire this chief to procure me a passage to Freetown. He entreated that I should wait on him until he try his last.

18th.—This morning four other messengers were again sent to Barayeera with a very hard and threatening message. They never returned until the afternoon of the 26th, and had brought the woman Sally Hughes. She was delivered to me by that chief, and four hours after that, I and Mahomadoo Toooray left for Freetown, where we arrived on the evening of the 28th, and early on the 29th waited on your Excellency. When at the last meeting with the chief and head men at Barayeera, Mamadoo Tooray and myself did state before them that we were informed that it was some one who advised them not to give up the woman, and that that person was Mr. Isaacs, which the chief, and several others who were present, denied. This took place after my stating to the chief that he should not listen to any Sierra Leone trader or merchant, whether white or black, who may give him any advice that will break the good friendship existing between him and this Government; and that the Governor, on his part, is ready to do all he can for the prosperity of their country, and that they ought also to do what they can to show some return of kindness from their part to him. On our leaving Barayeera, the old chief, Alimamee Sarleah, called me, and said to me to speak good of him to your Excellency. The chief of Maligiah begs to state to your Excellency not to think any thing about of what Alimamee Sarleah had stated, and that he is so old now, and can be led about with other people's advice, which will bring the country into trouble.

I have, &c.
(Signed) THOMAS GEO. LAWSON,
Government Messenger and Interpreter.

To his Excellency A. E. Kennedy,
&c. &c. &c.

(True copy.)

Colony of Sierra Leone, May 1, 1854.

STATEMENTS of SALLY HUGHES, or FAINGARAY, a Timmanee girl, about 22 years of age, which are as follows :—

I am a native of the Timmanee country. When very young I was brought to the colony by the late Alimanee Feuda Amarrah (late chief of Madina Bullom shore) from Maballar, whose slave I was; his men conducted me from the waterside to the house of Mrs. Betsy Carew; she and three of the same men took me to a shop, where I first saw Mrs. Nancy Hughes. After some talk with her we returned with Mrs. Carew to her house, and, in the evening of the same day, the late Mrs. Nancy Hughes came over to the place where I was (Mrs. Carew's house), and stood out in the street near that house, both of whom had some conversation together, after which she returned to her house, which was opposite to that of Mrs. Carew's, and which was pointed out to me by her (Mrs. Carew); she then told me to go there, and further said, that I was to stop with the woman, Mrs. Hughes, to learn to cook, wash, and sew. I accordingly went to the house in the evening above stated, when the woman, Mrs. Hughes, made me to understand more fully that I was to stay with her, and that she would teach me to wash, sew, and cook; from which time I was with her till I became a young woman, and could recollect three successive Governors who were in the colony, viz., Ferguson, Macdonald, and Pine, and Mr. Peyton, the parson.

About four or five years ago, one morning, while carrying tea for my mistress to her shop in the Kissy Road, I met with Forae Fatimah, whom I had been told before was a sister of my former master (Alimamee Feuda Amarrah); she told me that her husband, the late Surie Ceelah, brother of Sannacee Ceelah, am informed is now in gaol for slave dealing, was sick, and desired me to go and visit her. I went to her house that very evening, which was near the magazine or powder house, and was there for a short time; soon after several Soosoo people came in, among whom was Golo, whom I had known before; she said to him (Golo), "this is the girl, take her over." I was then ordered to rise up, and go down to the waterside near the house; so all of us went down; it was at that time dark; a canoe was there, and I was put into her by Golo, and they also got into her, and I was taken to Madina against my will, and there placed by Cally Mordoo under the care of one of his wives. I attempted to run away from that place back into the colony, but my design being discovered, I was confined in irons for some time, until about two years ago I was released from my confinement and at once placed on board a canoe, and was carried off to Barayeeray by one of Cally Mordoo's wives, who paid me over to Seerah Foodee, of that place; he, Seerah Foodee, afterwards transferred me over to another man of the same place, named Boye Moodoo, from whose possession I was taken by some messengers sent from the king of Maligeah, and was then informed that he had done so by the directions of the Governor of Sierra Leone, and that the Governor himself was there. That chief, four days ago, delivered me to you (T. G. Lawson) and Mahomadoo Tooray, to be brought and delivered to him, the Governor of Sierra Leone, and on the last evening I landed here.

While I was over at Bullom, there were three other girls, viz., Ma Feuda, Catee, and Calla, the first of whom was living with Mrs. Carew, the second with Mrs. Spilsbury, her daughter, and the third I do not know with whom she was living; but I am certain that they were all slaves like myself, and have known them all here in Freetown when they were brought over to Bullom.

May 2, 1854.

STATEMENTS of SEERAH FOODAY, of Barayeere, a town in the Soosoo country, on the 12th of April last, which were as follows :—

The girl Sally Hughes is here, and had been in my possession as a slave; she had been sent to me by Calla Moodoo, chief of Madina, Bullom shore, in charge of one of his wives, to pay me for a canoe he bought of me. When the girl was brought I observed that she could speak English, and was afraid to take her; but when it was explained to me that she was Calla Moodoo's own slave. and that she was sent to Sierra Leone to be taught English customs, and was brought up there, but began to be too wide awake, she was taken from thence to Bullom, from whence she was brought to me. I then took her. Calla Moodoo was the person who sold the girl to me. I am very willing and glad to give her up to the Governor if she was still in my possession, but I have paid her over to Boye Moodoo for debt I owed to him. Since the girl was brought to me it is now one year and ten months, and can only advise Boye Moodoo and the old people, who were all present, to give her up to the Governor.

The above statements were taken by me,

THOMAS GEORGE LAWSON,

Government Messenger and Interpreter.

SIERRA LEONE.

SIR, Colony of Sierra Leone, May 28, 1854.

I BEG most respectfully to lay before your Excellency the following statements for your Excellency's information:—

That the wise and most prudent measures your Excellency has deemed neeessary to take from the moment (December 10, 1852) it was brought to your Excellency's knowledge of certain Mandingos, Foolahs, and other aborigines residing in the colony, that they were in the habit of trafficking in slaves with each other, and with some of the liberated Africans within the colony, and had also stolen or taken away several of those slaves out of it (the colony), part of whom, owing to your Excellency's entire exertions, have been reclaimed and brought back to the colony from various parts, and who are now, through God's great mercy, through your Excellency's directions, placed under the instruction of Christian knowledge in the Church Missionary schools at Gloucester and Charlotte villages in the colony, instead of being what they might have been, slaves for life, and where they never would have heard of anything but about Mahommedanism.

I am happy to state to your Excellency that the measures referred to above have proved beneficial to the colony, inasmuch as it appears to put a final stoppage to any slaves hereafter being brought into it for sale. I state this, as I know it to be so by the information I received from various principal persons of the adjacent countries, some from a distance, and others near to the colony, which they prove to be the effect of the measures taken by your Excellency, and of the dread they have in their mind of your displeasure; and in their conduct now endeavouring to act uprightly, so as to merit your favour; and that they hope in future it will never more be heard of that slaves are imported to the colony through or from any of their territories. Upon these their own statements I take upon myself to state what I have stated.

As regards children taken out of the colony, the chiefs of the country are not always aware of or know of it; some do know, and assist to conceal it, and cause all kindness to those who are against it; and I regret to say that there are several children taken out of the colony, and several still in the colony, I am informed, are bought slaves, and their masters and mistresses manage to keep them and the public generally in ignorance of their true condition as slaves.

The following statement is the substance of what I received from the children who have been, and those now under my care, by order of the police magistrate and your Excellency.

They stated that they were led to believe by their former masters and mistresses, that if they tell the truth to the white people, or if the white people know that they were slaves, the white people will take them away, and put them in a large ship and send them to Jamaica, there to work in sugar-cane plantations, where those children taken away from the Mandingoes are sent to; or they will be put in a large box when the vessel got a long way off, and be cast into the sea; moreover they will die by the foolish charms, the children are led to believe, by causing them to swear on those charms that they will not run away or expose their condition as being slaves.

As your humble servant is in some measure aware of the heavy expenses, labours, and the loss of many valuable lives it cost the English empire to procure freedom for Africans, and are made to have equal share or right in the protection of the English laws, which entitle us to look upon every man, women, and child in the colony to be perfectly free,—

May it please your Excellency, through the wisdom which God has endowed you with, to adopt some wise plan which will make these poor helpless children to obtain the knowledge of the advantage belonging to them by the English laws, being on English territory, as being perfectly free; I mean those living in the colony, but who had bought them, and that there are many such there appears to be little doubt, but of which there is as yet no distinct proof. This would cause many of the children to come out of themselves, as it will take a length of time and cost expense to have the bad disease entirely rooted out from the colony in the way it is now going on, through your Excellency's endeavours has rescued (from the 10th of December last up to this date) no less than 118 persons, who all were in the care of your humble servant, excepting one woman.

They are thus disposed of, and I hope ere long it will never more be heard of in the colony that a slave exists:

82 placed in schools, and under the care of persons who can produce them at any time called on.
3 died of natural death, as free persons through the privilege of English law.
1 at Government House.
3 in Kissy Hospital.
27 in my care, one of whom absconded (from the notice of a constable, B. No. 11, who was placed to watch over them), ran away from the yard on the 20th instant, and is not found as yet, but search is in force for him.
1 with her people; this was the woman last brought from Port Lokkoh by Mr. M'Cormack and Mr. Dillet.

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I beg also most respectfully to state that, from information received, there are many persons held in slavery by British traders in the different rivers, whom though they may be for the present out of the reach of the English laws to punish them, yet a word of command only from you is sufficient to liberate and set them free to enjoy the liberty of English laws and protection.

I have, &c.
(Signed) THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

His Excellency A. E. Kennedy,
&c. &c. &c.

(True copy.)

SIR, Colony of Sierra Leone, December 10, 1852.

I BEG to lay before you, for the information of his Excellency the Governor, that I have just learned from a man named Moomordoo, a Mandingo, who resides in the colony, that certain of his countrymen possess slaves in the colony, which they dispose of one to another in the colony; that one man, by name of Hadjee, has lately taken from the colony four children and sold them as slaves, and has now one in his possession; and that many of the Mandingos and Foolahs, who possess slaves in the colony, intend to take them away lest they should be found out, and that he is willing and ready to give any information he possesses regarding this matter.

I have, &c.
(Signed) THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

John F. Smyth, Esq.
&c. &c. &c.

Enclosure 2 in No. 8.

Encl. 2 in No. 8.

COPY of a LETTER from H. MERIVALE, Esq. to A. E. KENNEDY, Esq.

Downing Street, February 28, 1855.
(Answered March 15, 1855.)

SIR,

I HAVE received and laid before Mr. Secretary Herbert your letter of the 13th instant, and the documents which accompanied it relative to the system of slavery which exists in Sierra Leone, and I am to acquaint you that he would be glad to receive any additional information which you may possess on the subject, and a statement of the measures which you would propose, besides enforcing education, to remedy such a scandalous evil,

I have, &c.
(Signed) H. MERIVALE.

A. E. Kennedy, Esq.
&c. &c. &c.

Enclosure 3 in No. 8.

Encl. 3 in No. 8.

COPY of a LETTER from A. E. KENNEDY, Esq., to H. MERIVALE, Esq.

Junior United Service Club,
London, March 15, 1855.

SIR,

I HAVE the honour to acknowledge the receipt of your letter, dated 28th February 1855, relative to the system of slavery which exists in Sierra Leone, requesting any further information which I may possess on the subject, and a statement of the measures I would propose, besides enforcing education, to remedy such an evil.

2. In addition to the papers transmitted with my letter of the 13th February, I enclose herewith further certified copies of papers, paged from 1 to 8, illustrating the same subject; a perusal will suffice, without troubling you with any comments upon them.

3. With a view to putting a stop to this scandalous evil, I would recommend the following amendments in the "Ordinance for the better Protection of Alien Children." Parties registering alien children before the magistrate to verify such registry on oath. The existing ordinance inflicts no penalty for false registry. Children to be registered in their proper country name, under penalty. At present the children's names are changed at the whim and caprice of the owner or importer of them, and all means of tracing them thus destroyed.

The magistrate to have a discretionary power to refuse permission for the removal of any alien child from the colony by other parties than their parents.

SIERRA LEONE.

The register to be printed and published in monthly parts at the secretary's office.

4. There are, I am concerned to say, Europeans in the colony who do not scruple to induce the native population to believe that Her Majesty's Government are indifferent to this matter, and unwilling to interfere in it; and I think, therefore, that the decided expression of the Secretary of State's opinion on the subject conveyed to the local authorities, and explained to the public officers, would be attended with the best results. It is, above all, important that the local authorities should assume a firm attitude, and put their intention of acting energetically beyond a doubt.

5. The existing ordinance, amended as I have suggested, and firmly administered, would soon put an end to a system as demoralizing as it is disgraceful.

I know that the Chief Justice of the colony has given his attention to this subject, and would, I am sure, if consulted, offer sound advice upon it.

6. Any step in the direction of abolishing slavery, and slave dealing in all its forms, will naturally be opposed and remonstrated against by those whom the law is intended to reach and control; but the respectable portion of the population will undoubtedly support any measures for the suppression of an evil they are fully alive to.

I have, &c.

H. Merivale, Esq.
&c. &c.

(Signed) A. E. Kennedy.

Sir, Colony of Sierra Leone, March 10, 1854.

I beg most respectfully to submit the following statements for your Excellency's information:—

In obedience to your Excellency's direction of the 27th ultimo, I left Freetown with your Excellency's letter directed to Arlikarlie, chief of Port Lokkoh, early on the morning of the 1st instant, at 7 o'clock, A.M.; and arrived at Port Lokkoh, half past 10, P.M., the same date. The following day, the 2nd instant, Condstoo, the person whom Arlikarlie left the town in charge (himself being absent), called the different chiefs and headmen together, in order to ascertain what was my errand from your Excellency to Arlikarlie. I told them plainly that I had been sent by your Excellency with a letter to their chief Arlikarlie, and that I desired to see him. I have also given or stated to them, an outline of your Excellency's message to Arlikarlie, and the whole of them, and showing to them your Excellency's readiness to assist and support all chiefs or headmen who act honestly and justly in all things toward this Government; while, on the other hand, your readiness to punish and hold in contempt all who acted contrary. After this Pa Santigie Saurie, Caparra, and three others, were appointed to accompany me to Arlikarlie, who was at Sanmanoah, a small village consisting of 25 huts, on the road from Port Lokkoh to Mabelly, a distance of about 12 miles.

3rd.—This morning I visited several of the chiefs, to whom I fully explained the "Alien Children" account, as it has been wrongly interpreted and explained to some of them; after explaining it to them, their expression was as follows: "What great difference! Now are we sure that this Governor is come to put all things right, and to do us good; our children will now be safe, and learn something good, if any should be sent to the colony." One of them, named Yee Birow, stated as follows: "Mr. Lawson, the reason why many of those persons who possess slave children in the colony, up to now, is this: when the slave palaver was brought out in the colony, the Governor was, and is still, severe upon us. In the first instance, our principal chief or king just then died; we had no head; but on our request to the Governor, he immediately gave us another king at our own choice. This king—this king some of the headmen making opposition against, which gave us, and still giving us much trouble, which causes the whole of us to be afraid and ashamed to go down to see the Governor; however, if the Governor had known from the beginning, and called up the whole of us to assist him in this thing when he found it out, by coming forward to prove and give evidence against persons whom we know to be engaged in the slave dealing, he would wonder and be surprised to see how deeply his people all are concerned in this thing; some of us even to this day would go and point out to him several persons now in the colony who had bought children from several persons here in the colony; some were bought here and carried down to the colony; but now if we should go and do so, many of the higher ones will come down, and we will also lose our customers, who credit us goods for trade." I left Port Lokkoh the afternoon of the same day, at a ¼ to 3, P.M., and arrived at Sanmansah, where Arlikarlie resides, at half past 3 P.M., and the same evening met Arlikarlie quite well; he received me very kindly.

4th.—Early this morning I delivered your Excellency's letter to him; Ansumanna, Dabbo, and some of the chiefs were sent for to be present to hear the reading of the letter. Dabbo made no appearance, and at 1 P.M. of the same day he requested me to have the letter read and explained to them (him and other chiefs), which I willingly did, and further explained to him your Excellency's good wishes towards him; I acknowledging him to be the principal chief of the country, and that the very proof of this seen and known by your Excellency's former and present letters to him, and none other, as the head; and if any one at any time come to your Excellency as upon any public duty of the country, if they do not come through him (Arlikarlie) your Excellency never countenance them; he rose up and said, "Mr. Lawson, I am ready to do anything that lays in my power for the Governor. I have recovered eleven of the persons whom he wrote to me about; I shall deliver them and a letter to you for the Governor. I hope you will explain of all my troubles to him. To tell you the plain truth of the matter, the whole of the Timmanee people only dread and are afraid of any king or chief in their country, when they see and know that he has the Governor of Sierra Leone for his support, and has influence with him; but with me the whole of the country, even myself, fancy that the Governor is against me. Some of them had before stated to the Governor that if I be made a king I would spoil the whole of the country by making war. Since I was crowned a king I have been provoked on every point, in order that I might raise up war; but, for the Governor's sake, I forbear. To make war is but a very little thing with me, not for want of war men—I can this moment set the whole of this country on for fourteen years, and not a man here would be able to stand before me;—but if I do so, what would the Governor think of me? If I only had the permission of the Governor, he will soon know the difference between us here.

"I have lately passed a law in the country that all the Sierra Leone traders (the Queen's people) that had gone beyond the waterside towns for the purpose of trade should come down. See, Lawson, these Koronkoh, Konnoh, Coso, and Timmanee children, for whom the Governor is doing all he can, yea, even ready to die for in order to get their freedom; they were not born under the Queen's flag, nor are they children of liberated Africans; how much more would he not do if one of the Queen's own children should be lost here among us. I am afraid they must come down and be under my own eyes and care, where I can see them every day, and know what they are about. One of them (the Queen's people) was brought down dead, up in the country about six days ago, I ordered an inquest to be held over the body, by his own countrymen, before the body was buried. If the Governor would only come up for two or three days, and be pleased to have only two days up here, and settle everything among us, the whole of this country would become straight, and these will be as light from one end to the other, and nothing would be hidden to him."

6th.—I left Sanmansah this morning, 7 o'clock, and arrived at Port Lokkoh after 12 o'clock the same day.

The Soosoos for the present—as there is no chance of their trading in slaves at the Shebro this twelvemonth past with that free access as formerly,—have found out a new way, as I am informed here, that they now come down from their country by way of water in canoes to the small Scarcies river, and pass through by land in Bey Yinkah's territory to the interior of the Timmanee country, where they find their way to the other countries adjacent to the territories where the slaves now can be be readily obtained, and brought through Bey Yinkah's country, where they ship them on board their canoes. Those bought in the Sherbro are brought through Bompeh to the Queah, and ship on board their canoes at a town in that country, Romashakah. Some of them ventured to go into Port Lokkoh, and principally lodged at Saindoogoo Mohmoh Sancho's place; some to Mabelly, and had Ansumanna Dabbo and others for their landlord; some to Rokelle, and had Sourie Ceasay for their landlord. The whole of the country from the waterside up above Ro Bintee seems to be in peace, except the interior parts, where war is still raging.

7th.—This day a report from Ansumanna Dabbo of Mabelly, stating that a young man by name of William Thomas, colony born, agent of Mr. Thomas Reader at the Rosolloh Creek, had severely wounded a man with a bottle of water on his head, and had also broken a rib bone of another, and that those persons are not expected to live, and that the Purrah people had taken charge of his store until they see his employer.

8th.—This morning, at 10 o'clock, Condootoo delivered Arlikarlie's letter to your Excellency, and eleven persons rescued from slavery, (they were carried away from the colony by the late Bocarry Noomu, and his late brother Mormordoo Noomu, blacksmiths,) to me, to be brought and delivered to your Excellency. I left that place the same day at half past 4 o'clock, and landed in Freetown the following day, the 9th instant, at 11 o'clock.

I remain, &c.

(Signed) THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

To his Excellency A. E. Kennedy,
&c. &c. &c.

SIERRA LEONE.

Colony of Sierra Leone, Freetown, May 11, 1854.

STATEMENT of FALANDEEH, a Koronkoh headman at Kontae, a town in the Quiah country, and about three hours' walk from Waterloo *:—

Sierra Leone.

On last month, at my place, Kontae, I saw two messengers, viz., Booboo Mansaray and a constable, come to me, stating that they were sent by the Governor of Sierra Leone, in search of a girl named Takee, whom he had heard was in that town; in seeing the constable I believed they were truly sent by him; I at once set out in search of her, and in five days found and delivered her to them; I also sent a messenger, named Lansannah, with them, who returned to me twelve days after with a letter from the Governor, and a present of 2*l.* 4*s.*, stating that the Governor had sent that amount to thank me. After I had got some one to read and explain the letter to me, I found that it had been 5*l.* the Governor sent to me. I came to Waterloo and presented the letter to the manager, who also read it to me. On making inquiry for Lansannah, I was informed by Constable Thomson that he was at Freetown, where I came five days ago, and saw him. At my place, Kontae, and the neighbouring town, there are several liberated Africans residing there, whom I always caution not to have any dealings in slaves; and if they do, and the Governor should know of it and send to me, I shall be obliged to give them up; and as I come to seek after Lansannah, and to see the Governor, and have known that some of the Queen's people have slaves, and some taken also out of the colony to that part, if I do not inform him of it, and it be hereafter found out, he will never believe me, therefore I give this statement for his information:—That there is a lad named Sabboo, a Koronkoh, of about 15 or 16 years of age, belonging to the late Bocary Noomoo (died in gaol for slave dealing), in charge of a liberated African Foolah man, named Saleah; the lad was taken out of the colony by a Timminee man, another liberated African of the Kissy country, named Cartee, formerly resident of Waterloo,—has in his possession at Romashenk, a town in the Quiah country, four persons, viz., three girls, all of about 15 or 16 years of age, and a boy of about 15 years of age; these children were taken from the colony by that man, who ran away from Romasharkah at the time the Governor sent Mr. Philipps, the Manager at Waterloo, in search of him, and those four persons they are now in the possession of a young man named Bonkanah (a son of Mahomadoo Bundoo's sister), who informed me that he had detained them on account of some rice owed by Cartee and his late father Bocary Foolah, who was the master of one of the girls, and had died at Waterloo some time last year. Bonkanay is the present headman of Romashenk; Pa Bolly is the present principal chief of that part, yet more under the control of Mahomadoo Bundoo, who is absent from the country.

STATEMENT of MAMDUCK THOMPSON, of the Police Force stationed at Waterloo:—

I know the man Cartee; I do not know whether he was a liberated African or not; I knew him some time at Waterloo; when at that place he always resided with an old Foolah man named Bocary Foolah (died some time in last year), whom he owned as his father; this old man had a slave girl, whom he presented before the late manager, Mr. Vincent, and requested him to recognize her in the Queen's book as a free girl; her name had been taken by that manager. After the death of the old man, this girl had been induced and taken away from Waterloo by that man Cartee, who said that he was a son of the old man, Bocary Foolah. I never before to-day heard of Cartee having taken three other children with him to the Quiah country; Falandeah, the headman of Kontae, had more knowledge of him in that part of the Quiah country than what I have. Heard of Mr. Phillipps and some other person going over the Quiah after that same man; the time the Governor had sent Amadoo Yellie for some slave children at Waterloo, he, Cartee, I am told, run away from the town in which he was; am told he stops sometimes in Romashenk and sometimes at Rokissy, towns in that country.

STATEMENTS of YEAMAKIE, a Ma Bantah Timminee girl, of about nine years of age, brought from Waterloo by Policeman Mamduck Thompson, on the 15th of April last past:—

A man named Bangah, whom I have known in our town, took me from my country last dry season; he told me that my father and mother had given me to him to be brought to this colony to a relation of theirs; he brought me down to a town in the Quiah, called Ma-Que, where we remained from that time until last month; he brought me down to Calmant, where I was for four days, when a man, Mamduck Thompson, took me from the house of a woman (she speaks the Sherbro language), and brought me to a white man at Waterloo (Mr. Philipps), who sent me by him to this place. My country is along way from here: we had several days on the way to Quiah; the man, Bangah, ran away after I was taken to Waterloo.

JOHN CANNING, a Coossoo boy, of about 15 years of age, states as follows:—I was caught in a war, and taken away from my country, and was brought down to the Dibber river, and then sold to Mr. George Canning, a Sierra Leone trader; this took place about three years ago; while I was with him he bought another slave, the man named Bocary; this man told me that George Canning was about to sell me,

that we should run away to Waterloo for freedom. Four of us, viz., two women, and besides myself and Bocary, did so, and came to the Queen's yard at Campbel Town. The man who was the overseer brought us to Waterloo to Mr. Conoly, who told us we were free, and that we can remain in the colony and not to return into the country; my fellow slave, Bocary, told me to follow him to Madonkeah, a town in the Quiah country, for the purpose of making farm; I followed him, and he there sold me to a Soosoo man, who carried me to another town in the same country called Ro Beah, from where a man named Macaulay, of Waterloo, brought me to the Queen's yard at Waterloo, and I was brought to the police office in Freetown, from whence I was sent to this yard (Thomas G. Lawson's).

STATEMENTS of FANGIA, a Coossoo girl, of about 16 years of age, sent from Waterloo on the 3d instant:—

I was born in a town called Ma Boye, in the Bompey river, Sherbro country. Canray Bah Caulker is the chief of that country. About two years ago my elder brother brought me down to a town in the same country, called Patafoo, pledged me in pawn to a Sierra Leone trader, named MacIntyre, for some goods, viz., two pieces of blue baft, some handkerchiefs, tobacco, and lot of gun flints; he told me that my elder brother had placed me in pawn to him for those goods; I was with him from that time until two months. He sold me to a soldier (a deserter), who was in that town. He brought me to a town in the Timminee country; on our way to this place, the soldier man told me that he had bought me from William MacIntyre. At that place we met another soldier (also a deserter); I was there some time. About three weeks ago, when the other soldier man told me to run away with him to Waterloo. I know them to be soldiers, as I heard people say that they were soldiers. I did so, and he brought me near to Waterloo, and gave me to a man who brought me over to Coosoo town, and in the night of the same day he came to the place I was; he told me he could not walk in the day time, but night. I and him was at this place for about ten days before I was found out by a man called Benjaman Mamduck Thompson. I missed the soldier man two days before I was found out; am told that he ran away. I was then brought to Waterloo by a man who had a cap on (am informed that he was a constable) to this yard (T. G. Lawson's).

(A true copy.)

(Signed) THOS. GEORGE LAWSON,
Government Messenger and Interpreter.

Colony of Sierra Leone, Freetown, November 29, 1853.

TATEMENTS of a boy and a girl taken from Mr. Pope's house at Campbel Town, who was the overseer of that village; andal so of a slave man belonging to them, named Sabboo, from Quiah.

MOSES, or TAMBABOO, a Coosoo boy about ten pears of age, states as follows:—I was born in the Coosoo country. Some time ago (I do not know how long it was ago) the town in which I lived in was taken and destroyed by war; I, my father, mother, and several of our people were taken captives and made slaves of; my father managed to get away, but was soon brought back; shortly after that I saw when his hands were tied behind his back, and was led out by some of the men who caught us in the war; a few days after that I was carried on the back by another of the same people, and brought to the Timmanee country, and was sold as a slave to a Soosoo man. I was long with the man I was sold to in that country, and understood the Timmanee language. The Soosoo man that brought me down left mew ith another man of his nation, named Ansoomanna. One of this man's relations murdered a Timmanee man belonging to a small town near ours, and to settle that matter, he gave eight iron pots, on which he added my body, and gave to Pa Honney as settlement of the palaver (or crime committed by his relation); this man, Pa Honney, delivered me to a man named Pa Cammayerrey, whom he said was his brother, living in another little town. I was some time in this place before I saw Mrs. Pope, who came there; I saw Pa Honney come there, and had a long talk with Pa Cammayerrey; this was on the day before I saw Mrs. Pope. I was then given to her by Pa Cammayerrey; she promised to make me a handsome shirt; she gave me over in charge to a Kongo man, who brought me to Waterloo the following day, and the day after that she followed and met me in her house, where I saw her husband, Mr. Pope. I do not know how long it was ago since I was brought to Waterloo; I know that I was there a long while before the last Christmas—the only Christmasday I ever knew. I do not remember seeing Mr. Pope in the Timmanee country, but his wife. I was afterwards removed by Mr. and Mrs. Pope from Waterloo to Campbel Town, where about four or five days ago I saw two constables and one Mandingo man; they came to our house and took me to the manager at Waterloo, and on last Sunday I and some other children were brought by the police from there to this house (Thomas G. Lawson's).

MARY ANN, or BOYE, a little girl about six years of age, states as follows:—I was born in a long country from here; plenty of Coossoo Sherbro (Timmannee) people are in that country. My father is a Coossoo man, his name is Farmah. A man

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named Sye came to our country, and brought me to a town called Deebee Tahben, situated on the border of the Cates river, and delivered me to a man named Pa Bangg, where I was taken from by Mrs. Pope to Waterloo; she told me that she brought me there to take care of me. Afterwards we were removed to Campbel Town, where I was taken from on last Saturday by three persons; I was brought to the manager at Waterloo, and on last Sunday we were brought here.

STATEMENTS of two girls, viz., SUSANNA or KIE, and REBECCA, taken from Hannah Williams' house at York.

SUSANNA, a Coossoo girl about 15 years of age, states as follows:—I was born in the Coossoo country, in a town called "Mabomah;" war came to that place and destroyed it by fire; I and all my relations made our escape to another place, where my elder brother credited some country cloth from a man in that place, to pay for which my mother's brother and that brother of mine placed me in pawn to another man, from whom they obtained a slave girl to pay for the country cloth. The man I was pawned to waited on them for some time, until he could wait no longer, then he brought me down to the Sherbro country, and then sold me to a Sierra Leone young man named William, son of a woman living in York named Mrs. Obba (or Mrs. Hannah Williams), and I was brought to York by a young woman named Nancy living with that young man William who bought me; my value was paid in tobacco. I was brought to York in last year's dry season, where I was until about five days ago I saw a constable and two Mandingo men; one, named Mamadoo, came to our house, and took me and another little girl now in this yard (Thomas G. Lawson's) up to the manager, from thence to Waterloo, and from Waterloo to this place.

REBECCA, a little girl about six years of age, states as follows:—I do not know the country in which I was born. I was brought from the Sherbro country to York by a man whose name I do not know; I was led by that man to Mamee Obba's house; I was told I was brought to be raised; whether sold or not I do not know.

ELIZA or MANNA, a Sherbro girl, about 17 years of age, taken from Mary Cole at York, states as follows:—I was born in a town called Ma-fa-Yourig, in the Sherbro country. I, my mother, and all my relations were caught in a war; several Mandingo men were among the war men who caught us, afterwards we were distributed among them. From that time to this I never saw any of my relations with whom I was caught. I was brought to York by the brother of the Mandingo man into whose hands I fell; his name is Mannell. I was at York above a year before Captain Terry took charge of the town as a manager; that man left me in charge of Mrs. Mary Cole his countrywoman, and returned to Sherbro; I was lately informed that he is dead. I remained with Mrs. Cole until about five days ago, when I saw a constable and two Mandingo men come to the house and conveyed me to the manager's, who sent me and four other children to Waterloo, and from thence to this place.

STATEMENTS of a Boy and Girl, viz., GEORGE or SASAY, and ELIZABETH or LAYEE, taken from Mrs. Sally Smith at York.

GEORGE or SASAY, a boy about eleven years of age, states as follows:—I was born at Bompeh; I do not know whether it is in the Coossoo country, or Sherbro; when very young I was placed on board a canoe, with some rice, by a Mandingo man, who brought me to York and delivered me to the late William Smith, a Mandingo blacksmith in that place; whether I was sold to him or not I do not know, nor do I recollect how long it was since I was brought to York. This was before he married Mamee Sally (Mrs. Sally Smith); after his death I was left in care of that woman, from whose house, about five days ago, I was taken to the manager's, from there to Waterloo, and from Waterloo to this place.

ELIZABETH or LAYEE, a Coosoo girl, about ten years of age, states as follows:—I was born in the Coossoo, in a town called Bandee. War came to that town; I and my mother, two sisters, two brothers, and some other people of that town, were taken as prisoners, and made slaves of; the father of the man who caught me exchanged me with another man for a girl of my size; that man sold me to a Mandingo man, who brought me to York, and bid me to remain with the late Mr. William Smith, a Mandingo blacksmith, who, he said, was his brother, until he should return from Freetown, as he was intending to proceed there. I never after that saw that man. The blacksmith then brought me to his wife Mamee Sally (Mrs. Sally Smith), with whom I was until four or five days ago; I was taken to the manager, Mr. Palmer, who sent me and four other children to Waterloo, and from thence to this place.

(A true copy.)
(Signed) THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

Colony of Sierra Leone, Freetown, December 3, 1853.

STATEMENT of SABBOO, a Konnoh man, of about 40 years of age :—

I was caught in a war, and sold from my country by some Koosso people, and about seven years ago I was brought to Mabandomah, and there was sold to Mora Bundoo, or Bocary Sambah, for whom I made five farms in five years. About three years ago I saw Nancy Pope come to that town to trade ; I carried a small quantity of dried pepper to her for sale ; when I charged my price for the pepper she said the price was rather too high. I observed, while I was at her house making bargain for the pepper, that she spoke the Timminee, Koossoo, my own (Konnoh), and English languages. I asked her how she do to understand my language ; she told me that her mother was a Konnah woman ; and by tracing to her relation in that country I found that I and her mother belonged to one town, and was near to me in blood. She then went to the man I was slave to, and spoke to him of me, stating that I was her mother's brother. Few days after that, I saw her paid to my master some goods ; I was then delivered to her. She brought me to Waterloo three days after that ; I told her that I liked Waterloo very well, but I wanted to stop where I could make rice farms, and that I desired to return to Ma Bandomah. She told me if I liked to return to my country I can do so, or wherever I like to go. I left Waterloo the same day for Ma Bandomah, where she met me four days after. I often visited (them) she and her husband at Waterloo and Campbel Town, and used to lodge with her and her husband. Few days ago I saw you (Lawson) at Ma Bandomah, when I heard from some people in that town that the Governor had sent you for me ; and as my landlord or the person under whose care I was placed was absent, I was unable to come with you until about five days ago. My landlord, Mangy Bang, told me that the Governor had sent other messenger for me, and that I can go to Waterloo, where I arrived four days ago, and was sent from to this place (Freetown). I am now certain of my freedom, as I now fall to the notice and care of the Governor. I am now certain that wherever I may now go, I am, through his interference, made perfectly free.

(A true copy.)
(Signed) THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

Colony of Sierra Leone, Freetown, December 21, 1853.

JOSEPH GROVERNER, or CHO, a lad about 16 or 17 years of age, states as follows :—

I was born in, or brought when very young to, the Cream country with my mother. I first knew Peter Groverner in that country as a trader. Tuah Mayifah, the man who owns me (but he is not my father), whether I was a slave to him or not I do not know ; he often took goods from Peter Groverner. When he (Peter Groverner) was about to come to the colony, a woman named Ca Fa was living with him as a wife, and a relation to the man who owns me (his name is Tuah Mayifah) told me that that man had ordered that I should accompany them to this colony, and I was brought by them to York. Now about four years ago the woman Ca Fa returned to the Cream country. I remain with Peter Groverner doing all manner of laborious work ; and, thank God, about thirteen days ago, I saw a constable from Freetown come with Henry York, the constable at York, to our house, and made inquiry for me, and I was delivered to the man (Mr. Lawson), who, I was told, was sent by Governor Kennedy for me and other children for freedom. I do not know whether Peter Groverner paid anything for me or not ; all the time I lived with him he never gave me any clothes to wear ; the first shirt he ever gave me is this check shirt he gave me on the day I was about to leave York for Freetown. I do not desire at all to return to York, but hope that the Governor may put me with some good person where I can learn some good trade.

JAMES BEARD, a native of Sherbro, and is about 14 or 15 years of age, states as follows :—

I was born in the Sherbro country. I was brought to York when Captain Terry was the manager of that place, about six or seven years ago, by my father ; I am told he is now dead. He left me to live with Mrs. Finch, who also is now dead, to do work for her, and to be sent to school. About five years ago Mr. Finch put me into the Church Missionary School ; my father, before I learned of his death, often visited me. I was in the care of Mr. Finch from the time I was brought to York until about 13 days ago, I was conveyed by Mr. Finch to Mr. Palmer, the manager's yard, and delivered me to a man (Thomas G. Lawson), am told was sent by Governor Kennedy to ascertain my condition, whether free or slave, and to bring me and other children to Freetown, where I was brought to on last Wednesday (December 14).

EDWARD KATES, a Sherbro lad, of about 14 or 15 years of age, states as follows :—

I was born at York Island ; my father, Bah Kates, about nine years ago, gave me to Mr. William Fury, to be brought to the colony to receive education, and I was brought to York by him ; I was with him about a year before he placed me in the Wesleyan

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school at York; he has four of us. I and one of the other three, named Stephen Anderson, belong to one place; we both go to the same school; the other two (I do not know where they were brought from), they are Coosso children, and were never sent to school, but were sent to do works about his yard, and on the 25th of November last he carried them away from York at night in his canoe to the Sherbro; this took place about the same time that a Mandingo man and a constable, I am told, were sent to York by Governor Kennedy to take certain children that were slaves at York. The two children that had been carried away to the country by Mr. Fury, I do not know whether they were free or slaves. About thirteen days ago, or on Friday before last, I saw you, Mr. Lawson, and two constables, viz., Mr. Philip, A 4, and Mr. Williams, C 15, come to the yard I lived in (Mr. Fury's), and brought me to the manager's yard, and I was put under the care of Mr. Lawson to be brought to the Governor. I was informed that he was sent by him (the Governor) for me and other children, and on last Wednesday I arrived at this place.

STEPHEN ANDERSON, a Sherbro boy of about 12 or 13 years of age, states as follows:—

I was born at York Island, in the Sherbro country; I do not know how long it was ago since I was brought to York by my father, Stephen Anderson, who placed me under the care of Mrs. Fury of that place; I was brought there a few months before Governor Kennedy came from England. I was placed to the Wesleyan school at York by Mrs. Fury, from whose house I was taken a few days ago by Mr. Lawson and two constables, who, I am informed, were sent by the Governor for me and some children to be carried to Freetown, where I was brought to on last Wednesday,—I and three other boys living in the same yard at York, one of them named Edward Kates;—we belong to one town; the other two are Coosoo boys, their names are Samuel and James; those two were carried to the Sherbro by our master Mr. Fury.

JOSEPH COLE, a native of the Sherbro country, and about 17 or 18 years of age, states as follows:—

I am a Sherbro lad; five years ago a man named Thomas Cole, of Campbel Town (now dead), went to the town where I was for the purpose of trading; I saw him one day come to the man who had me as a slave, and made a complaint that some Sherbro people had stolen a canoe from Campbel Town, belonging to Mr. Hill, stating also that Mr. Hill had sent him to say that the first canoe coming from that town (Tissanna) to Campbel Town he would seize the people and the canoe for his, and to prevent that he had paid Mr. Hill 4*l.* for his canoe that had been stolen, and that he now called on my master, Pa Serra Nockoh for to return his money; I was then taken by my master, and was delivered to the late Thomes Cole as payment for his money; the whole of this transaction taking place in the presence of a liberated African woman, named Nancy Hamilton, now living at Campbel Town. The late Thomas Cole brought me to Campbel town and placed me in his house, where I was doing all manner of hard work,—making farm, &c.; this man died, and I was left in care of his wife, doing the same work without any wages or clothes, and if I was employed by any other person they used to take from me that which was paid to me, so I was in this state last Wednesday morning (the 14th), I saw a man Thomas G. Lawson), with a constable and several children, passing through Campbel Town to Waterloo, where I was informed by a man that that man was the person whom Governor Kennedy had sent to save and bring to Freetown every person he found to be held in slavery in this colony; the same day I left that place for Waterloo, seeking f the same man (T. G. Lawson), and I was led into the Queen's yard by a special const who went and called that man (T. G. Lawson), and he told Mr. Coker to send me in Freetown, where I arrived the following evening.

KEHKEH, a Lokkoh lad about 16 or 17 years of age, states:—

I do not know where I was born; I was brought when very young to Lokkoh town (Russell, in the colony); my father and mother died some time ago; a little before the death of my mother I had a sore on one of my knees; she gave me to a country doctor at Lokkoh town to be cured; after I was healed the country doctor carried me from there to the Quiah country, where I was a long time, until about three years ago a Purrah war was raised in that country, which drove us from the town I was to another town, where Yah Fambae, Mr. Smith's wife, met me, and I was given to her by the country doctor, and she brought me to Lokkoh town, where I was employed in making farm without wages for her and another woman named Ya Purromoh, another wife of Mr. Smith's; I was with them from that time until about ten days ago I saw three constables come for me, Mr. Smith, and all the children with him to Tombo, where I met Mr. Palmer, who delivered me to Mr. Lawson, who sent me and six other children to Freetown.

SOKKOH, a Lokkoh child of about eight or nine years of age, states as follows:—

I was born in a town called Mabakay, near Bassatie. About a year ago a Purrah war was raised in that country, where my mother, Fembae Sally, brought me and my

sisters, viz., Benkey and Rubbah, to Waterloo, where a Lokkoh man named Yenkah onducted me to Lokkoh Town (Russell), and placed me in care of Yah Fembae, Mr. Smith's wife, and with whom I met another sister of mine named Yannee. I was informed that we were to be with that woman for to take care of us; from that time I was with her and her husband, until a few days ago I was brought by them to Tombo, and was delivered to Mr. Lawson and two constables, and I was brought here by one of the constables.

YANNEE, a Lokkoh female child about six or seven years of age, states as follows,—

I do not know where I was born; my mother's name is Fembae Sally. I was carried to Lokkoh Town, by a woman named Ya Fembae (daddy Smith's wife). I do not know how long since I was carried by her to that place. I know the boy Sokkoh, we are of one father and mother; I was taken from her by some people, and brought to this place (Freetown), I no not know what for, nor do I recollect seeing you (Lawson).

December 23, 1853.

SAMUEL FEURY, a Coossoo boy of about eight or nine yesrs of age, states as follows:—

I was born in Coossoo country; I and my mother were caught in a war which had destroyed the town in which we lived; my father was killed in the same war. The man that caught us, his name was called Manna Fallah; he brought me down to York Island in the Sherbro country, where I met with Mr. Feury, who shortly after brought me to York, in the colony, now about three Christmases ago; during this time I was with him in that place (York), I used to be engaged in fetching water, and doing other works about his premises, more principally farm work, until about three weeks ago, or on the following night after the marriage of his daughter Elizabeth, he carried me and another Coossoo boy, named James (little higher than I), in his canoe to York Island, in the Sherbro country, for what purpose I do not know. Few days after our arrival there I saw a boat, said to come from York for us, and I was brought back to York by him in his canoe; the other boy, James, he is left there by Mr. Fewry, under the care of a Sherbro man named King Dick, of the same island. I afterwards was brought to this place (Freetown), and to-day was produced by him to a white man in a large house (Mr. Armstrong at the police office); the white man (Mr. Armstrong) took me from him, and I was brought to this house (T. G. Lawson's) by a constable, and do not desire to return to Mr. Fewry again; I hope to be placed in a school to learn something good. I hope my other companion, James, who is left at York Island, may be got up too from there.

MARY ANN ANDERSON states as follows:—

I was born at York Island, in Sherbro country, some time in last year; my father, Stephen Anderson, gave me to Mr. Feury, for the purpose of teaching me the English custom. I go to Sunday school, and could now read the A B C, and sew pretty well. If I should see my father I would know him. My mistress Elizabeth, daughter of Mr. Feury, brought me to Freetown about two weeks ago, and it was from her house I was called out to this place (police court).

(A true copy.)
(Signed) THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

Colony of Sierra Leone, Freetown, August 1, 1853.

STATEMENTS of three children, taken on the 30th of July last by Mr. Mitchell, the Police Superintendent, to the police office, and afterwards sent to the house and care of Thomas George Lawson, Government Messenger and Interpreter; their names are as follows; viz., Nar Moosah or Mary Ann, Kumbah or Sara, Kie or Hannah Robert, in the presence of Constable Thomas Cole, A 21.

NAR MOOSAH or MARY ANN, a Timminee girl, about seven or eight years of age, states as follows:—I am a Timminee by birth; some time ago (about eighteen months), I was caught in a war by some of my countrymen. I lived with the man who caught me for about two months; he delivered me to another Timminee man, who brought and conveyed me to a Timminee woman's (named Yah Rookoh) house in this town; this was last year. I do not know whether I was sold to her or not, but I know that I was a slave caught in war from my country; few days after I was called by Yah Rookoh, with whom I was left by the man who brought me to her house, on a night, and was told by her to follow one of her relations named Boye (a girl) to the house of Mr. William Davis, an Akoo man, near to a chapel, where I was taken from on last Saturday by a white man and two constables to the police office, from there to this house (Thomas G. Lawson). While I was with the Timminee woman, Yah Rookoh, I often saw Mr. Davis come to her house and have conversation with her.

SIERRA LEONE.

KUMBAH or SARA, a Koronkoh girl, about seven or eight years of age, states as follows:—I am a native of the Koronkoh country; my mother died when I was very young. About a year and a half ago my father was indebted to a man, who almost every day called on him for payment of the debt; the last time he came my father called me and delivered me as the payment of the debt to him; he (the man) also delivered me to a Mandingo man who soon after brought and conveyed me to the house of a Foolah man, near Gibraltar Wharf, on a night, in this town. I saw Mr. William Davis, whom I before saw in the same premises, and his wife, come to that house; I was then called by the man who had brought me, and the master of the house; I was transferred over by them to Mr. William Davis and his wife; they brought me to their house (near a chapel), where I was until the day before yesterday; I was taken from them by a white man, who was on horseback, and I was delivered to a constable, who conducted me to the police office, from there to this house (T. G. Lawson).

KIE or HANNAH ROBERTS, a Koosoo girl, about nine years of age, states as follows:—I am a Koosoo girl; about three Christmases ago I was caught in a war, and taken from mycountry, and was immediately delivered by the man who caught me to another Koosoo man, who, with some others, brought me and conveyed me to the house of Mamee Fatimah, a Mandingo woman living at Bambarra town, in this town; she changed my name from Kie to Hannah Roberts. I saw Mamee Fatimah gave to the Koosoo man who brought me to her house, some money, what it was for I do not know, nor the the amount. The Koosoo man, a few days after, left the house; I have never since seen him. I remained with her (Mamee Fatimah) from that time until the day before yesterday. I was taken by a white man, who was on horseback, and a constable, to the police. I was just told by my mistress Fatimah to accompany Mamee Cearay Karankay to the country, (for, said she, the white people are catching all the people's slaves from them, for fear they would take me away from them; Mamee Fatimah told me that when I am asked by anybody where I come from, or born, to say that I was a creole born in this town, and that Dadee Roberts, her brother, was my father.

STATEMENT of WOMAUROW ABASHEA, a Saidae Yenkey Foolah, of Timbo, capital of Footah Jallon, in the case to be brought against Miss Rosanna Barnett, for purchasing a girl as a slave, in this colony.

WOMAUROW ABASHEA states as follows:—About two years ago I, with some of my countrymen, came to this colony for trade; I brought a horse for sale. One of the persons we came together, named Bocary Foolah, brought a slave girl also for sale; the girl spoke the Koronkoh language. On our arrival I went to lodge in the house of Foday Cabba in this town; my other companions went to their friends, I do not know the houses they went to, but to some of our countrymen residing in this colony. About seven days after Bocary Foolah, the man brought the slave girl, came to where I lodge, and requested me to accompany him to the house of Ansoomanna Carpenter (am told is now in gaol for slave dealing); I went with him to that house, and met several persons sitting down, among whom I saw the mistress of the house, Ansoomanna Carpenter's wife, and another black-looking and stout woman, whom Ansoomanna Carpenter pointed to us to be his mother-in-law; I do not know her name; I believe if I should see her I might know her. My countryman, Bocary Foolah, with whom I went to that house, told me in the presence of all who were present in the house (Ansoomanna Carpenter was the interpreter between us and that woman) that he had agreed to sell the girl to the mother-in-law of the interpreter for fifteen dollars, and that he had called me to witness the payment, as he does not know the distinction between the dollar, value 4*s.* 2*d.*, from the one value 3*s.* 10½*d.* I saw that woman and Ansoomanna Carpenter went to a room adjoining the same house,—both returned in a very short time. I then saw Ansoomanna Carpenter deliver fifteen dollars to Mahamodoo Sarakoolay's hand, and he delivered to Bocary Foolah as payment of his slave girl, and I saw my countryman, Bocary Foolah, deliver the girl to Mahamadoo Sarakoolay, who delivered her (the girl) to the interpreter; and I saw when he pointed his hand towards the girl, and delivered her to the woman, whom he told us to be his mother-in-law; after this I left the house and went to my lodging. The woman was a Sierra Leone woman, and well dressed. Ansoomanna told us that she was a very high woman, and was a white man's wife.

MAHAMADOO BOIE, a Foolah young man, states as follows:—About two years a countryman of mine, named Womaurow Abashae, an uncle of my wife, with several of my countrymen, came from the country to this colony for trade; he brought a horse for sale, and lodged at Foray Cabbah's house, Kissy Road, Freetown. On the day of their arrival I saw Bocary Foolah; one of the strangers came pay me a visit to my house in Gibraltar Point, Freetown; I was very glad to see him, and inquired of him where he lodged, and what he had brought for sale; he told me that he lodged with one Maligie Ceelah's house, in the same part of the town where I live, and that he had brought a slave girl for sale; on his leaving my house I followed him to his lodging, and there saw a slave girl, whom he showed me to be the one he had brought for sale. About seven days after I again saw him, called to my house, and told me that he had sold the slave girl for fifteen dollars in cash to Ansoomanna Carpenter's (who is now in gaol for slave

dealing) mother-in-law. I soon after that, on the same day, went to that house, Ansoomanna Carpenter's, and there saw the girl dressed in white man's fashion. I asked Ansoomanna Carpenter about her. He told me that his mother-in-law, named Rosanna Barnett, a wife of a white man in this (Mr. James P. Kidd), had bought her. The following evening, as I was passing by and happened to call into Ansoomanna Carpenter's house, I saw a woman well dressed, of a stout and and black-looking complexion, in that house. Ansoomanna Carpenter introduced me to her, and told me that she was his mother-in-law, of whom he had mentioned to me, Rosanna Barnett, to have bought the slave girl brought by Bocary Foolah. I afterwards saw the girl in that woman's house, and believe that she is still with her.

(A true copy.)
(Signed) THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

Colony of Sierra Leone,
Liberated African Department, March 10, 1854.

STATEMENTS of Persons captured at Tagareen Bullom Shore, by Thomas Wallis, a liberated African, of Freetown, and also of Persons brought from Port Lokkoh.

JAMAFOIE, a female about forty years of age, native of Romatinkok, a town in the Mabantah Timminee country, states as follows:—Last year, dry season, Sasaywooroo, of Kankahmah, in the same country, brought war to our town, and destroyed it; myself, these other two women, and two boys, who are here with me in this yard, and also great many other more (who were sold to the Foolahs and Soesoes as slaves) were caught as prisoners and made slaves of; we were sold to a Foolahman named Sorie Takie, and some Soesoe people went up together with him; they brought us down to a town below Saysaywooroos, called Rokbankban, and from thence to Romaback; this place situated in the border of the Bompey river, almost to the head of that river, from there to Samah, and from thence to Bassatie (where Canray Bah Caulker lately resided, from Samah to Bassatie is about fully seven or eight hours walk across inland) from that place to Romagushang (this town situated on the border near the water-edge of the Ribbe or Cates river, and takes three-quarters tide from the bar or Fobo to it); at this place we remained all that dry and the rainy seasons, doing all slaves works, and treat accordingly. Six days ago we were given up by the Foolahman to the Soesoe people, who take us from that place by the land road. After crossing the Ribbee river over to the Quiah land, brought us to Romashakak (from Romaqushang to that place six hours, and from Freetown here to it one and a quarter tide; from Waterloo by the land road to the same place eight or nine hours); that town is almost become a Soesoe town in the Quiah country. From that place we were placed on board a canoe, and were well covered under an awning made with mats to prevent any one from perceiving us. The following day we were landed over to another land (Bullom shore), where we saw some Sierra Leone people in their canoe. While I was in my country I learn that if any slave put on Sierra Leone ground they became free person. I then advised my other companions that we should take the advantage by running away to the canoe and seek for freedom. Unexpectedly we burst out of the house in which we were placed, and got on board this man's (Thomas Wallis) canoe, and explained ourselves to him and two other men that were with him. They then protected us, and got out their oars and pulled for here; our masters, the Soesoe, came after us, and when their canoe came near ours, this man (Thomas Wallis) fired off a musket, which cause them to keep back for a while, and then commenced pulling again; a second musket was fired off, and his two men pulled so smart we got out of their reach, and landed safe on this land.

YAMAKIE, a Sherbro young woman of about twenty years of age, states as follows:—I was born in Samoo, a town in the Bompey river. I recollected of seen you (T. G. Lawson) in that town. Some time ago, a man named Bah Tebin, who had my mother as a slave before I was born, sold me to a man named Bah Yeebo of the same river; this man sold me to a Timminee man, who brought me by the land road to Romashakah, a town in the Quiah country already described above in the first statement, where these (Timminees) my other companions met me. This man's wife saw a lad who was amongst them as a slave was her relation. I was taken and given over to the Soesoe people to redeem the lad. I and these others were afterwards placed together on board of one canoe, and were delivered out of their hands as already been stated by Jahmafoie.

CARDAY, a Korankoh woman of about thirty-five years of age, states as follows:—I was brought when very young as a slave by a Mandingo man, named Sambah, in the colony, and sold to Bocary Noomoo, who, I am inform, to have been died in gaol for slave dealing in the colony. After I was grown up to be a young woman he took me to be his wife, he and his other free wives always abusing me and calling me their slaves, and ill-treated me accordingly. About months ago he called me and this girl, Mariah, who was also his

From this name Carday the report dated March 10, 1854, spoke of.

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slave, and delivered us to one of his wives named Hawah (now living at Roka Bantamah above Port Lokkoh). He himself accompanied us to the wharf (Gibraltar Wharf, Freetown), and we were conveyed in a canoe from that wharf to Port Lokkoh, and from thence to Rotakomp, where I and several other slaves whom he and his brother Mormordoo Noomoo had brought in the colony heard that the Governor of Sierra Leone had sent some white people up for us. We were then removed away from that place to another, and from there near to the Lokkoh country; in this place I saw numbers of men armed, said to be from the Alikarlie, come and took us by force from the Foolah under whose possession we were, and brought us to Port Lokkoh month before last. Yesterday we were delivered to you (Thomas G. Lawson, government messenger and interpreter), and this morning landed here. While I was here with him Bocary Noomoo, I recollect of seen several children brought by the Foolahs and Mandingos to our house, and sold to some Sierra Leone and country people. I know some of them, both the children and the purchasers, and those who brought them to the colony for sale.

MARIAH, about twenty years of age, states as follows:—I do not recollect the name of the town in which I was born. I was brought here as a slave when very young by a Foolah man named Surie Cealah, and sold to Bocary Noomoo, now dead in gaol for slave player, and grown up in the colony. About seventeen months ago I and Carday was conveyed in a canoe from Gibraltar Wharf, Freetown, by Ya Hawah, our master's wife, to Port Lokkoh, and from that place to Rotakomp, and after that from one place to the other. At last we were taken by a body of armed men sent from the Alikarlie, and were brought to him. He informed us that by direction of the Governor he did so, and yesterday we were given up to you (Thomas G. Lawson), and was brought this day once more to the colony.

MALADOOR, a Coosoo woman of about twenty-one years of age, states as follows:—I was brought here when very young by a Foolah man named Latrie, and sold to Bocary Noomoo. I have grown in this town. I was sent away by him from the colony to Rotakomp some time before Carday and Mariah went up there. I left them here when I was sent off there. I was there when I heard that the Governor of Sierra Leone had sent up some white people for us. I and the other slaves were removed away from that place to another place farther up. At the last we were taken from those who had us by a body of men sent by Alikarlie, and yesterday we were given up to you (Thomas G. Lawson), and this morning landed again in the colony.

MOOSAH, a Timminee young man of about twenty-five years of age, states as follows:—I was brought as a slave to the colony by a Sarakoolay man named Seelahteigie, of Mabelly, and was sold to Bocary Noomoo—died in gaol. I was a lad at that time. Some time before he and his brother Mormordoo Noomoo left the colony he sent me to Gibraltar Wharf, Freetown, where I met a canoe was in readiness. I was ordered by him to get into her. I did so, not knowing that I was no more to return to the colony. I was carried off by that canoe to Port Lokkoh, from there to Rotakomp. In this place I was when I heard that the Governor of Sierra Leone had sent up some white people for me and the other slaves. I and the other slaves were removed from that place by a Soesoe man named Saloowho Cabbee, who had before brought from the colony to that place those two women, viz., Carday and Mariah. He carried or removed us from place to place, and hide us separately from each other. About two months ago I and ten others, who are here now, were seized by a body of warmen from Alikarlie, and brought us to Port Lokkok, and on yesterday we were delivered to you (Thomas G. Lawson) to be brought to the Governor, and this morning we landed again in the colony.

SABBOO, a Timminee lad of about sixteen or seventeen years of age, states as follows:—I was brought as a slave, and sold in the colony by a Foolah man named Saloowho to Bocary Noomoo. I was here until about fifteen or sixteen months ago, on the night after Hydgh and Abdull were apprehended for slave dealing in the colony, he conveyed me and some other of his slave children in a canoe to Port Lokkoh, and from there to Rotakomp. He and his brother were brought to Freetown by the demand of the Governor, after we were removed from there to different other place's where I and my other companions were hiding, until about two months ago we were brought by Alikarlie warman to Port Lokkoh, and on yesterday I and my ten fellow slaves were delivered up to you (Thomas G. Lawson) to be brought to the Governor, and to-day we landed in the colony. God bless the white people!

YERRAH, a Konnok boy of about thirteen years of age, states as follows:—I was a slave to a Sarakoolay man named Seereemah. I was given to him by that man; whether sold to him or not I do not know. Where I was until about eighteen months ago, I was removed from to another place farther up from whence I had been brought down to Port Lokkoh by Alicarlie's people, and yesterday I was delivered to you (Thomas G. Lawson), and to-day landed here. I do not recollect of ever been here before this.

KABBA, a Korankoh boy of about ten years of age, states as follows:—I was bought by a Foolah man named Pathy, who whether sold me or not to Mormordoo Noomoo I do not recollect; nor do I recollect to have been here before. At Rotakomp I hear that the Governor of Sierra Leone had sent up for us. I and my fellows were removed from

there, and hid in different places farther up in the country, from whence I was taken by some warmen, and was brought to Port Lokkoh, and on yesterday I was given up to you (Thomas G. Lawson) to be brought to the Governor, and to-day I landed here.

SAMBA, a Korankoh boy of about eleven years of age, states as follows :—I do not recollect the name of the Foolah man who brought me in the colony and sold me to Bocary Noomoo for a double-barrel gun in the colony. I saw it myself. I and five other children were brought together. From that time I was with him until the day he sent me and six other slave children from the colony to Rotakomp, and on the following month he himself followed us (fifteen months from that time to date). I was afterwards removed from that place, and was concealed by some Foolah people, to another place where I was taken by some war people from Alikarlie, and was brought to Port Lokkoh, and on yesterday I was delivered to you (Thomas G. Lawson) to be brought to the Governor, and to-day we landed here.

SAHRAH, a Korankoh boy of about nine years of age, states as follows :—A Foolah man named Saloowho, who had me as a slave, delivered me to another Foolah man named Dantoomah, who brought me into the colony and delivered me over to MormordooNoomoo. (I heard of his death in the gaol.) When this new governor begin the slave palaver he took me and four others on a night, and placed in a canoe, and we were carried to Port Lokkoh ; from there to Rotakomp. After he and his brother Bocary Noomoo were brought down from that place I and my fellows were removed away to RoBintie, and from RoBintie farther up in the country, where I was taken from by some war people and brought to Port Lokkoh, and on yesterday I was given to you (Thomas G. Lawson) to be brought to the governor, and to-day I landed again in the colony.

KABBA DING, a Konnoh boy of about eight years of age, states as follows :—I was given to Momordoo Noomoo by a Sarakoolay man, named Fa Seereemah, whose slave I was ; whether sold to him, Mormordoo Noomoo, or not I do not know. After he and his brother were brought down from Rotakomp we were removed from that place, and were hidden in a town above RoBintie, where we were taken from by Alikarlie's people, and brought down to Port Lokkoh, and on yesterday we were delivered to you (Thomas G. Lawson), and to-day landed here.

SAMBAH, a Konnoh lad of about fourteen years of age, states as follows :—A Foolah man named Dantoomah brought me as a slave, and left me with Bocary Noomoo ; whether I was sold to him or not I do not know; I was very small at the time. About two years ago I and a girl named Fatimatah were given to the same man, and he conveyed us in a canoe to Port Lokkoh, from thence to Rotakomp; afterwards we were removed farther up, from whence we were seized by Alikarlie war men, and were brought to Port Lokkoh, and yesterday we were delivered to you (Thomas G. Lawson), and this morning landed in the colony.

(A true copy.)
(Signed) THOS. GEORGE LAWSON,
Government Messenger and Interpreter.

Colony of Sierra Leone, Freetown,
June 19, 1854.

BOYE or NANCY, a Coossoo girl of about thirteen or fourteen years of age, states as follows :—I was caught in war and taken away from my country by a Foolah man named Balah, who brought me down to a town in the Quiah, called Ma Bangcourie ; afterwards brought me to Waterloo and left me in charge of another Foolah man named Mamodoo Fullah in that place ; whether he sold me to that man or not I do not know ; I was with that man for about three years ; he died at Waterloo on last year's dry season, when another Foolah man named Catty, who said that the deceased was his father, and therefore took possession of me, and led me from Waterloo to a town in the Quiah called Rokilmah, against my will : after arriving to that place he placed me in charge of his wife named Adamah, who placed me in her farm for to work ; he (Catty) left that town last dry season, and I am told that he is gone to Port Lokkoh. I was shortly after his departure seized by Bongkinnay, and was led by him to Romashank, where I was taken from about six days ago by Falandeah, who told me that the Governor of Sierra Leone had sent him up expressly for to get me ; he took me from Bongkinnay, and on the day before yesterday I was brought. I had been forced by that man Bongkinnay while I was with him ; all what I could to prevent him availed me no help. I am thankful indeed that I am delivered out of slavery and trouble ; my three companions, viz., Boyinka Foollah, Matoe, and Forae, I left them with his wife Adamah, at Rokilmah.

June 27, 1854.

MOTTO, a Coossoo boy about nine years of age, states as follows :—I am a native of the Coossoo country ; I was taken away from my country and was sold from one hand to the other, and had altogether five different owners or masters ; my last master's name was Kongkanday, whose son named Joe, about five months ago placed me in pawn to a

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Sierra Leone trader, named Thomas Cole, residing at Jinkin, in Sherbro, for some goods. I saw when the things were delivered to him by that Sierra Leone man Thomas Cole the articles consisted of tobacco, handkerchief, and blue baft; the man Joe who brought me down told me at the time that he placed me in pawn to Thomas Cole for those goods, and that he will bring some country cloth to redeem me; he left me there and went away; I remained with Thomas Cole, doing all domestic work, until about two months ago I accompanied his son (also named Thomas Cole) to Bonthe, and there met Kankoomoodoo, one of my old masters, who when he saw me said that I was his own son, and claimed me as such; I was carried to Mr. Hanson, the British consul at Victoria Sherbro, who asked me if I was that man's son; I stated the truth to him that I was not, but had been his slave; I was then detained by the consul, and six days ago he sent me in a boat to this place, where I arrived night before last.

July 10, 1854.

YEERAH or EDWARD states:—I know a Korankoh boy by the name of Yeerah; was with Mamee Nana, Sannacee Ceelah (in gaol for slave dealing); he was with her for a length of time, I do not know how many years, but it was in Governor Macdonald's time; I missed the boy from that woman's premises; our house was in the same street, and I frequently visited her yard; I was informed by Sye Bartoo; as we were walking together selling kolars we happen to see the same boy in an Akooman's shop, near George Sawyer's house in Kissy Road; I asked Sye Bartoo who had brought the boy Yeerah there; she told me that the boy had been carried to Gambia from that time to the last dry season; I have always seen him in that man's shop selling things; I do not recollect ever pointing out to Fodaykoombah the same boy; I know and am certain that he (the boy) was a slave to Nana; I am certain she sold the boy to the Akooman.

July 24, 1854.

BESSY or DAMOHKIE states:—I am a daughter of James Nalender, of Freetown; my mother was a Timminee woman by the name of Ya-Fangaray, now dead; about ten years ago I accompanied her to Kambia, from there to the Limbah country; I there saw my mother took a quantity of rice from Pa-Foray Cammah of that place; she leave me there; whether I was put in pawn by her or not I do not know; after she came away I was prevented by that man to return to Kambia; about two years ago a man named Pa-Corpora, went to that place and redeemed me; he brought me down to Kambia and afterwards placed me in pawn to Pa-Sharkah, a trader of a Sierra Leone man named Thomas Wilson; this man became short in account with Thomas Wilson; he called upon him for the payment of his goods; I was given up to him in payment, and he said in the presence of all the chiefs, Laminah Bahmoie was also present, that as he knew my father he would send me to Freetown to the Governor, who will see that I be given up to my father, and be set free.

August 11, 1854.

WILLIAM MORMORDOO, a Timminee lad of about nine years of age, states, that he was caught in war and sold to a Timminee man named Pa-Bannah, who brought him to the colony, lodged two days in the house of an Eboe woman well known by the name of Mamee Baff; was afterwards conveyed from that house to the house and care of Sorie Magazine, who brought him the day before yesterday to the police office; was there detained and sent to this yard (Thos. G. Lawson's); does not know or recollect how long ago he was brought in that colony; thinks it is now about a year and a half ago. There is another boy still in Sorie Magazine' house; his name is Joe, a Timminee; met that boy in that premises—the boy Joe. He means to say that he met him in the premises of Mamee Baff, where he still remains; he was informed by the man Pa-Bannah, who brought him, that the boy Joe was brought to the colony by him; the very man was here on the day he was taken from Sorie Magazine by the magistrate; was bid both by Sorie Magazine and that man to say before the magistrate that he was a freeborn, and that that man was his father, and that he was born at Mabelly.

August 14, 1854.

FEIGNBAE, a Timminee woman of about forty years of age, states as follows:—About eight years ago was caught in a war, was brought and sold to Pasasay Baner of Ro-By-Bye a town in the Ma-Bang country. Bey Kroo is the king of that country; was brought down to Ro-Barnay, a town in the Quiah country opposite Wellington, and there was offered to Yamonday for sale, payable in salt. This woman had no salt. Was then brought over to a small hamlet near Kissy in the colony called Ro-Bees, there was sold to Pa Yeamee Koray; he paid for her value as a slave forty bars in salt; do all manner of work for him without pay; was brought and sold to that man by a Timminee man named Joe; was afterwards removed to Quiah; about thirteen days ago saw a constable with Bonkanay to that town. Yeamee Koray was apprehended by the constable; was brought to Waterloo; was severely punished by Mangsoe, Yeamee Koray's son. She and Taing Bae made their way to Waterloo; met Yeamee Koray there; both were sent with a constable here to the Governor on the day before yesterday; told them that they were perfectly free.

SIERRA LEONE.

SAING BAE, a Timminee woman of about forty-five years of age, states:—Was born in a town called Romatotokoh in the Teannay, Timminee country; about seven or eight years ago was sold, after the death of her father—it was said on account of a debt her late father owed; was brought down through Port Lokkoh to a small hamlet near Kissy called Ro-Bees, in the colony; was sold there by Payahfee, a Timminee man, to Payeameekoray for forty bars worth of salt; remain with him; do all manner of works for him without pay; about two years ago she and five other slaves (who were brought by him), Yeameekoray in her presence, in the same hamlet near Kissy, were sent over to a town near Ro-makasheah in the Quiah land; were removed from there to another place; were informed that a bad law was in force by the new Governor; were carried to another town called Royeamah in that county: these about thirteen days ago saw a constable with Bonkanay; they apprehended their master Yeameekoray, and was brought to Waterloo; she and several others were placed in stocks and severely flogged by his son named Mangsoe. She and Feignbae made their escape to Waterloo; were sent about four days ago by a constable to the Governor; saw him on the day before yesterday; told them that they were perfectly free.

JOE FETT, one of the slave boys, was brought to Ro Bees by a Sherbro man named Kanray Koombah, from Freetown to that place, and sold to Yeameekoray, their master; one of the five slaves that were sent over with her about two years ago was brought back to the colony last year by the Governor, his name was Anthony; a little boy heard that he is sent to school; he was taken from the Quiah by Pa Dabboo, sent there by the Governor.

August 25, 1845.

JOE FETT, a Coossoo boy of about eight years of age, states as follows:—Was caught in a war about three or four years ago; was given to Kanray Koombah; was brought in the colony by one of his sons by the name Kanray Koombah; had about a week in Freetown; was conveyed by that man by the land road to Ro Bees, near Kissy Town; was sold there now about three years ago to old Pa Yeameekoray; did not see what was paid for him; remain and work for him; was removed with other children from Ro Bees about a year ago to the Quiah; was brought back to the colony by a constable and Pa-Bonkanay six days ago; was informed by them that it was the Governor who had sent them for him and other children; saw the Governor three days ago; was told by him that he and the other children are perfectly free, and always to speak the truth; desire to go to school.

JOE BARKEE was born in the Cossoo country; of about sixteen years of age; was caught in a war about eight years ago; was brought and sold to a Timminee woman named Yainkin Follah; was afterwards delivered to a man named Foray, about five years ago, a Timminee, and brought through Waterloo to Ro Bees, and there was sold to Yeameekoray; work for Payeameekoray without wages; fed and clothed him; was sent over to Quiah about ten years ago; was brought back to the colony six days ago by a constable and Pa Bonkanay; was informed that they were sent by the Governor for him and other children; seen the Governor three days ago; told him and the other children to speak the truth, and that they are perfectly free; desire to be wherever the Governor please to place him.

BANNAH, a Timminee lad of about eight years of age, states:—Was caught in a war with his father and mother; was sold to a man named Kanray Sembae; was paid over to Bontoe Joe of Rokon; brought and sold by him at Ro Bees to Pa Yameekoray about two years ago; was removed about a year ago to the Quiah by Pa Yameekoray; was brought back six days ago to the colony by a constable and Pa Bonkanay, and saw the Governor three days ago; desire to go to school.

PETER, a Coossoo lad of about ten years of age, was caught in a war, brought down to the Timminee country; sold to three different masters; was brought down three years ago by some Foulah people to Rotall in the Quiah country; was brought over to Ro Bees near Kissy and Wellington by a man named Morannah; was then sold to Pa Yeameekoray; work for him without pay; removed from Ro Bees to the Quiah about a year ago; was informed that it was on account of the Governor catching slave children; was bid to run and hide in the bush by Pa Yeameekoray at the time Anthony was taken by Ansoomannah Dabboo; was brought from Royeamah six days ago by a constable and Pa Bonkanay; saw the Governor three days ago, told him and six other children brought together that they were free; desire to go to school.

SARAH, a Korankoh girl of about eight years of age, was brought from her country by her own father to Ro Bees in the colony, and was sold by him to Payeameekoray for some goods; did not see the goods paid to her father; is now about two years ago; was removed from Ro Bees to the Quiah a year ago by Payeameekoray and his wife. She and other children was hidden at the time a constable Pa Combah and Ansoomanah Dabboo were up in the Quiah last year; was brought back to the colony five days ago by a constable and Pa Bonkanay; saw the Governor in his house three days ago; desire to go to school.

SIERRA LEONE.

CARMADORE, a lad of about sixteen years of age, states as follows:—Was born at Waterloo; went to the Quiah about three years ago with his mother and sister; his mother died there; was detained by Pa Tom Bompt on account of a canoe; his youngest sister was delivered up to his elder sister; Tom Bompt refused to give him up; was rescued from him about eight days ago by a constable and Pa Bonkonay; brought back to the colony; saw the Governor three days ago; desires to return to his elder sister at Hastings.

FORAY, a Coossoo lad of about seven years of age, states:—Was born in the Coossoo country; was caught in a war; unable to give any statements.

KOMBOE, a Timminee lad of about twelve years of age, states as follows:—Was born a slave to Callay Toomanee at Ro Bearay, Scarcies River; about four years ago was placed in pawn by his master to Amarrah Kallay; went with that man to Matacong; at Matacong worked for Mr. Isaac in his yard; does not pay him for his work; was there about a year; knows great many boys on that place to be Mr. Isaac's slaves; knows all the boys brought from Matacong and are in this yard (Thomas G. Lawson's) to be Mr. Isaac's slaves; met a boy named Peter; has a peculiar lump of flesh shooted out on his forehead on Matacong; the boy was with the man Amarrah Kallay who had himself as a slave; Peter, myself, and our master removed to Beararee, in the Soesoe country, buying produce for Mr. Isaac; after arriving at this place miss the boy Peter; was put in pawn by his master to a Timmanee ma of Kambia named Bongbo Foray; was brought by him to Mabelly; was paid over by Bongbo Foray to his sister Yakallay, a Soesoe woman, for debt; was given to Lammina Cannoo by his mistress Yakallay last dry season to come down to the Quiah; two days ago was sent by Lammina from Ro Bees in the Quiah to the colony; lodged in the house of Mary Gramby at Wellington . . . . . ; was detained yesterday by T. G. Lawson on the report of James, who he knew before to be a slave to Ammarrah Kally; came to Freetown, when I was detained with Jacob Slinker.

August 29.

STATEMENTS of Persons liberated out of Slavery, and brought from Bompey Sherbro Country.

DAY MOH NANCY, a Coossoo young woman of about twenty-one years of age, states, that she was born in the Coossoo country; about nine years ago she, her mother, three of her brothers, and a sister were caught in a war. We were carried to a town in that country called Tahyahmah. At this place her mother, brothers, and sister were sold; two days after she was brought to the Bompey, and there was sold for tobacco to Pa Boye, was afterwards sold to a Soesoe man; about three years ago was sold to Isaac Gibson, a Sierra Leone man, who paid boy slave for me; worked for him. Gibson did not pay her; was given about two years ago to Mrs. Susanna Parker by Gibson; was brought to Campbell Town by her, and was prevented to come to Freetown; was carried off again from Campbell Town by the same woman to a town Foe Boe in the entrance of the Ribbee River; she knew that I was a slave of Mr. Gibson who gave me to her; a constable brought me here yesterday; saw the Governor this morning; told me that I was then perfectly free; on my way from Bompey to this place I happened to meet with my mother and sister at Maquia, Mr. Edward Lemon's factory in the Ribbee; they are slaves to a Timminee man named Mormordoo Lall.

SATIAH WANDOH, a Coossoo woman of about twenty-five years of age, states, that she was born in the Coossoo country about four years ago, was caught in a war, and sold to a man named Pa Bannah; this man brought her down to Madinia in the Ribbee, where she was sold to Isaac Gibson, four years ago. Saw the article paid by Gibson for her; it was one musket, some tobacco, and a bullock. From that time remain and worked for Gibson. Was brought here last night from Bompey by a constable. Seen the Governor this morning; told her that she is perfectly free.

KABBAH BARKER, a Coossoo man of about thirty-five years of age, states, that about four years ago was caught and sold out of his country on account of some wrong done by his elder brother; was afterwards sold to five different persons. The last one, about three years ago, sold him to Mr. Gibson, at Rosamah, in the Bompey; worked hard for Gibson; never pay him for his work; was brought here last evening by a constable; saw the Governor this morning; told him that he was perfectly free; desire to be located at Waterloo.

KABBAH WOROO, a Coossoo lad of about eighteen years of age, states, that he came about a year ago with his elder brother to redeem their sister, Satieh Sally, who was in slavery to Mr. Gibson. His brother fall into trouble, by having a quarrel with Gibson, on account of one of his wives. His brother ran away to their country; he was seized by Mr. Gibson on account of that quarrel, and was detained by him to be his slave. Came last evening from Bompey to this place with a constable; saw the Governor this morning; told him that he was free.

BANNAH, a Timminee lad of about ten years of age, states, that he was caught in a war, about five years ago; was sold to a man named Pasamahroo, of Rosamoo in Bompey; was sold, about three years ago, to Gibson by that man; was Gibson's slave from that time; was brought here last evening by a constable; saw the Governor this morning; told him that he is free. Bureh and Teekeedonkeh, my fellow slaves to Gibson; Bureh is with Payarreh, and Teekeedonkeh with Boyinkee, are still in slavery.

ROOKOH CARTEE, a Timminee woman of about twenty-five years of age, states, that she was born at Tombo, above Rokon (Rokell river). Was given when young by her father and mother to her grandmother to be raised, after the death of her father and mother; was kidnapped from her grandmother at a town called Romabarkeetah, by Payahfee and his son Mormor, about six years ago, and was brought by them to Robees, near Wellington (in the colony); was there sold to Payeamee Koray for some salt; saw the salt herself. Was to Robees about three years; was afterward sent to make farm in the Quiah for Payeamee Koray. Returned to Robees; left Robees about a year ago; was brought here yesterday by Pa Beahreh to be given up to the Governor for freedom. Saw a constable and Pa Bonkanay about ten days ago in the Quiah; they asked for me. I was given up to them; ran away from them; was afraid to come with them; being told that if come to Freetown the Governor would send us to Jamaica in the West Indies. Was told this by Yeameekoray's wife, Ya Boye.

Colony of Sierra Leone, Freetown,
September 6, 1854.

FORAY RAKEH, a Sherbroo young man of about twenty-two years of age, states:—About two and a half years ago I was placed by a relation of mine named Bannahyah-ronday in pawn to a Sierra Leone man (an Akoo) named Joseph Ruffell, in a town called Hanghoo; did not see the articles he paid for me, nor did I know for what amount I was given to him, for I was informed of it by the man Bannah-Yahronday that he had placed me in pawn to Ruffell, and that he will soon return with either country clothes or palm oil to redeem me; after which he never returned. I was with Ruffell, and did all sorts of works for Ruffell without pay; never as much as gave me at any time as much as a yard of cloth to cover my nakedness—but fed me. About two months ago Ruffell brought me down to Bonthe, where Mr. Nathan keeps a factory. (Mr. Nathan is a white man.) We returned to Hanghoo. I was ordered again by Ruffell to come with him to Bonthe. I refused doing so; he said that I must. Seeing me obstinate of going with him, he delivered me to a man named Sasae to hold me fast, and keep me in custody until he returned. He returned from Bonthe. This man Sasae in some time last month brought me down and delivered me to the Consul, who brought me here about six days ago for freedom.

September 9, 1854.

MATAKALAY or SUSANNAH, a Coossoo girl of about ten years of age, states, that she was born in the Coossoo country; that when she was quite small was caught in a war. The person that caught her was a Mandingo man; he brought her down to the Timminee country, and sold her at a town in that country, called Mabelly, to another Mandingo man—I do not now recollect his name. This man brought me to the colony, and conveyed me to a Mandingo woman's house, and left me in charge of that woman. I do not know whether she bought me or not. This woman afterwards sold me to another Okoo woman in Freetown, named Mary Mitzger. I saw when she counted out the money and pay for me. I do not know what was the amount. I was conveyed to Kissy Town that very day by that woman, and was placed under the charge of another Okoo woman, Joanna Cook. Since I was brought here I recollected of seeing two Christmas days past. I was taken, brought to the police office, my name was placed in a book. I was bid, before brought to the police office, to say that I was a free girl, and that I was given to Mrs. Cook by my parent to teach to wash and sew; through ill-treatment I was obliged to run away from her about three weeks ago, and was found by a constable, who conveyed me to the station-house, and the next day Mr. Armstrong sent me to this yard (Thos. G. Lawson's). I do not wish to be returned to the same place, but desire to beg the Governor to send me to school.

BOYE or JANE, a Coossoo girl of about five years of age, states:—I was taken from my parents and sold to a Mandingo man, who afterwards sold me to a Soesoe man. The Soesoe man sold me to a Timminee man, who brought me here and conveyed me to Mrs. Thomas's house at Pademba Road, Freetown.

This girl was taken from James George.

KANRAY states, that about three days ago he left Masharkah, a town in the Quiah country, some Soesoe people, with the under-mentioned names of persons whom they had with them as slaves, and will leave that place in about three days after him. He left three days ago. All were Coossoos, except one; he left Masharkah three days. The canoe in which the named slaves are to be embarked is under repair, and expect to leave Masharkah two or three days after I left.

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NAMES OF PARTIES.

Tah Row, an agreeable Coossoo woman,
Na Barworah, a man,
Kafa,
Tahrow,
" Kafa Lango,
Ioe, a little boy,
Farbar,
Joe Kainda,
Bamayah,
Foray Fett,
Kanray Sammah.

Colony of Sierra Leone, September 27, 1854.

MANQUAH or BOYE, a Sherbro girl of about twelve years of age, states as follows:—Was born in the Sherbro country. Some time ago, a Sherbro man named Cessie Bety, and several other men, with arms, came to the town where I lived, and caught me and several other children from that town, and brought us all to a town called Teetee Bole to this place. I was for some time before I saw Hannah Conolly; and her brother Edward Conolly came to that place. I was given by Cessie Bety to Edward Conolly, who gave me to his sister Hannah Conolly, who brought me to Lumly in the colony, and delivered me to her mother, with whom I was, until yesterday I was brought to Freetown. When at Lumly I often came to Freetown. She gave me no cloth to wear. I never was brought to Mr. Armstrong to put my name in the Queen's book. I know Mr. Armstrong; he is always the white man to settle plaver.

CHANKAW or SALLY states:—I was born in a town called Sanghoo, in the Cream River. About two years ago Hannah Conolly and her brother Edward Conolly came to our town in the time of trading. My father Humpah, and my uncle Fonny, who was their landlord, does business with them. They stay to that town about a year. When they were about to leave that town for Sierra Leone my father Humpah gave me to Hannah Conolly to be with her. She brought me to Lumly about two years ago, where I lived about some time in Freetown, and some time in that place with her, until yesterday I was taken from, and brought to the colony. I saw the Governor this morning; he told me not to be afraid to speak the truth. I told him I never was sent to school, neither did Hannah Conolly pay me anything during the time I served her. I never was brought to Mr. Armstrong to put my name in the Queen's book.

KONNAH or JINNY, a Sherbro girl of about fourteen years of age, states as follows:—I was born in Bargroo, Sherbro. When I was very small a woman named Yeamah, who told me that she was a relation of mine, brought me from my country to this colony. She told me my father's name was Kanray, mother's Boye, but I did not know them; I lived and grown up with that woman at Lumly Town; some time go with her to the country and back again to the colony. She fed me well; gave me no clothing save a small strip of cloth about two or three inches in breadth and about a fathom in length, which we call "tongtonggee," from time to time. I was not taken by her to Mr. Armstrong to put my name in the Queen's book; I cannot tell whether she brought me or not. I saw the Governor this morning; he told me to always speak the truth.

SONGKOH, or JOSEPH CHAMBER, a Sherbro boy of about eight years of age, states, that he was brought to the colony by the late Joseph Chamber. He brought me to Lumly about four years ago; both him and his wife died last year. They never brought me to Mr. Armstrong to put my name in the Queen's book. I know Mr. Armstrong; he is a white man, and always settle plaver at Wilberforce and in Freetown. After the death of my master and mistress I and their little son were left in charge of their daughter, Nancy Chamber, who became sick, and left us, and went to the Sherbro for medicine. I was given up yesterday by Mr. Davis, the overseer at Lumly, to a man (Thomas G. Lawson) I am inform sent there by the Governor to look after us, who brought us to Freetown. I saw the Governor this morning, and told me always to speak the truth; I desire to go to school.

Colony of Sierra Leone, July 25, 1853.

AMARRAH JADEE, a lad of about eighteen or ninteen years of age, states:—I was born at Bearayeeray, in the Soesoe country. My father and mother are slaves to a Soesoe man in that town named Bintee Bocary, to whom I also belong as a slave another man of the name of Kich Bocary, to whom I was given to by my master about twenty days ago for the purpose of going to the Sherbro to buy slaves. On our way to that country we were unable to pass any farther than the Bannana island, the wind being contrary, and were obliged to put to shore on one of the Bannana islands, and the canoe was seized by a white man, who told us by an interpreter that the Governor had sent him purposely take care of that way to seize all canoes found passing or going with slaves, and the slaves are to be made free. I was glad, and thank God that I fall into his hands, knowing that I was a slave. I and Mormordoo, who also was a slave, were taken out of the canoe to his boat, and on the night of the same day, three days ago, we arrived here.

KUMBAH MORMODOO, a lad of about fourteen or fifteen years of age, states:—I was born at Maneah in the Soesoe country, and was a slave to a Soesoe man named Conny Mordoo of that place. I was given by my master to a man named , to be taught the occupation of a carpenter. This man brought me to Bearayeeray, who about twenty days ago I accompanied from that place with the of going to the Sherbro to buy slaves. We first landed here, where Bintee Bocary, the man who had the lad Amarrh Jadee in charge, sold three bullocks. From here we proceeded on our way to the Sherbro; the wind being contrary, we were obliged to put to the shore on one of the Bannana islands, and the canoe and us were seized by a white man; he took me and the other lad already mentioned into his boat, and on the night of the same day we arrived there it is now three days ago.

CARREEMOO, a lad of about seventeen or eighteen years of age, states:—I was born in a town in the Sherbro belonging to Kis Cammah, called Mangaray, and was sent when very young to a town in the Soesoe country called Bearayeeray for the purpose of being educated in the Koran. About twenty days ago I left that place with a brother of mine named Naminna Moodoo, Amarrah Jadee, Kumbah Momodoo, Maneah, Ansoomanee, and eight others, beside a woman, for the purpose of going to a town called Mannah Kieh Bokeh's Town, in the Sherbro, to buy slaves. On our way we touched here, and three bullocks, from here we proceeded. The wind being contrary, we were obliged to land on one of the Bannana islands, where we were seized by a white man. He took these two boys, Amarrah Jadee and Kumbah Moomoodo, into his boat. I and Maneah Ansoomanah was brought in canoe to this place; we arrived here yesterday. We left our old people and the others at the Bannanas.

MANEAH ANSOOMANAH, a lad of about twelve or thirteen years of age, states:—I was born in a town called Dubuyah, in the Galinas, where I was very young when my father sent me to be educated in the Koran at Bearayeeray. I left that place about twenty days ago with my schoolmaster, Kiek Bocary, who had this boy, Amarrah Jadee, in charge. I knew the boy before at Bearayeeray; he was a slave to Bintee Bocary of that place. We were going to Mannah, a town in the Sherbro, for the purpose of buying slaves. On our way we touched here, and from here the wind being unfavourable, we were obliged to land on one of the Bannana islands, where we and the canoe was seized, three days ago, by a white man with plenty of beard, and I and this boy, Carreemoo, were brought in the same canoe to this place. On yesterday these other two boys, namely, Amarrah Jadee and Kumbah Moomoodoo, were taken out of our canoe by that white man on the same day into his boat, and left the Bannanas the same day. I also before know this boy Kumbah Mormoodoo at Bearayeeray with Amarrah doing carpenter work. I heard the man Amarrah said that that boy was a slave of his brother; the boy also told me that he was a slave.

BONKANAY, nephew of Mahomadoo Boondoo, chief of Quiah, states:—I came to see the Governor, and to acknowledge to him my wrong done to Mr. Philipp, when he was last to Kontah in the Quiah. It arises on two grounds, first through jealousy, and second for been in great passion with the people of my town. After this is settled with the Governor, I am ready to do anything he desire to have done. My uncle is absent, and I am unwilling to attend strangers. To done away with the good friendship that existed between him and this government I did not all this time do anything, as there are several old persons than myself in the country. I waited on them, but finding they are unable to do justice, I now interfere, and will endeavour to do everything I can to procure the whole of the children stolen from this colony to the Quiah.

Colony of Sierra Leone, Freetown,
July 26, 1854.

STATEMENTS of several PERSONS rescued from Slavery lately possessed by Isaac Gibson.

TONGNE, a Sherbo lad of about twenty-two years of age:—I was put in pawn by my father; was afterward sold to Mr. Gibson about six years ago; do all sorts of works for him without wages; feed me well, clothed and treated me kindly; was not free with him, but was his slave; now freed by the Governor; desire to stop here (Freetown).

DAMBEE, a Timminee young woman of about twenty-five years of age, was born at Romayapet; was caught in a war, brought to the Bompey river, and sold to Isaac Gibson; saw the goods paid for her by Mr. Gibson, now about a year and half ago; do all manner of works for him without wages; keeps me as a wife; was well treated by him; feed and clothed me; was not free; is now made free by the Governor; desire to return to her mother.

FEEMAH 1st, a Timminee young woman of about twenty-five years of age, was born at Port Lokkoh; went to Ribbee with her aunt to do timber work; was then put in pawn by a man named Larhie Pingararre to Mr. Gibson about seven or eight years ago; lived

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with him as a wife; had boy, a child for him; do all manner of works for him without wages; feed and clothed me; treated me kindly; told me to return to my relation if I like; did not do so, because they were far from the place; I now know that I am perfectly freed by the Governor; desire to return to my parents.

FEEMAH 2d, a Mabantah Timminee woman of about thirty-five years of age, was caught by Coossoos in a war; brought and sold to Mr. Gibson about one year and half ago; do all manner of works without wages for him; feed me; do not cloth me; give me only a handkerchief; was not free with him, as now made free by the Governor; desire to live at Waterloo.

SATEAH or SALLY, a Coossoo woman of about twenty-five years of age, was caught in a war; sold to Gibson about ten years ago at Roma Foray in the Ribbee; live with him as a wife; do all manner of works without wages; feed me and cloth me; treated me kindly; never told me that I was free; was a slave to him; is now made free by the Governor; desire to return to my mother at Sannahwho.

DAMMAH, a Limbah woman of forty years of age, was caught in a war; brought to Maforay in the Ribbee about four years ago, and sold to Gibson; do all manner of works without wages; feed and cloth me; treated me kindly, but was not free; is now made free by the Governor; desire to go to her sister at Mabberly.

KANRAY KOLA, a Coossoo lad of about twenty years of age; was caught in a war; brought to Maforay about six years ago, and sold to Gibson; do all manner of work for him without pay; takes good care of me; was not a free person; is now made free by the Governor; desire to go to Waterloo to get medicine; does not desire to leave the colony.

KANRAY RIBBIN, a Coossoo lad of about ten of age, was caught in a war; bought and sold in the Bomfrey about one year ago to Mormordoo Sam; sold to Mr. Gibson by that man; feed, clothe, and treated me kindly; do not know what to choose at the present.

PEAH, a Bantah lad of about twenty-five years of age, was sold about two years ago in the Bompey; I saw the goods myself; work for him without wages; treated me kindly; does to go walk; did not prevent of going back to my relation; is now believe to be perfectly freed by the Governor; desire to go labour.

BALLAH, a Korankoh man of about forty years of age, was brought and sold to Aweman living with Mr. Gibson; has a wife named Boyinkee; I was not under Gibson's control; he often give me things to eat, and treated me as a freeman.

TEMBAE, a Coossoo woman of about fifty years of age, gives no statement; is the mother of the little girl Bom.

BOM, a little girl of about seven years of age, states :—Fembae is my mother; she born me in the Coossoo country; does not know what took her from her country.

MOOSOO, a Timminee girl of about twelve years of age, born at Kontah, in the Rostele; brought and put in pawn by her brother to Mr. Gibson about a year ago; Gibson takes good care of me; he told me that this year I can return to my family if like to do so.

(A true copy.)
(Signed) THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

SIR, Colony of Sierra Leone, June 4, 1853.

THE following are statements of persons brought down by Pa Kindoo from the Alikarlie of Port Lokkoh, Timminee country, to your Excellency on the 3d inst :—

TAMBAH, a Korankoh man about seventeen years of age, states as follows :—I am a Korankoh man in my country a man who married my father's sister, under whom my father had placed me, he owed a debt to a Foolah man, who went to that country; this Foolah man pressed on him for the payment of the debt; I was then put in pledge to the Foolah man for the debt; he afterwards delivered me to another Foolah man, who afterwards brought and sold me in the colony to Bocary Noomoo; I do not recollect now long it was ago when I was sold. About five or six months ago, when the Governor begin the slave palaver, my master (Bocary Noomoo) sent me, Doobah Yahbee, Tenna, Sarah Moosoo, Carday, Farbo, and Na Moosah, eight of us, to Rotahkump; the latter five persons are still at Rokah Bantamah, under the care of Saloofoo, his brother. Last month messengers from the new Alikilie came to that place, and make demand for us to be given up, as Mr. M'Cormack and another white man were sent up by the Governor of Sierra Leone for us. I and nine others were delivered up to Alikilie, who sent me and eight others on the day before yesterday, by Pa Kindoo, to be given up to the Governor.

FARSARLEE, a young man about seventeen years of age, states as follows :—I am a Korahkoh boy; I was caught in war, afterwards sold by the man who caught me to a Foolah man named Sambah, who brought me about six years ago into the colony, and

sold to Bocary Noomoo; one month after sent me off to Port Lokkoh, from there to Rotahkump, afterwards to Rokahbantahmah. Last month I see messengers from Alikalie making a demand for me and some others, because the Governor of Sierra Leone had send some white people for us. I and nine others were delivered to them; they brought us to Alikalie, and on the day before yesterday give me and eight others in charge of Pa Kindoo, who brought us to be delivered to the Governor.

CALLAY, a lad about fifteen years of age, states as follows:—I am a Coossoo boy; was caught in a war about five years ago, and was sold to a Foolah man, with whom I lived for about four years. He brought and sold me in the colony to Bocary Noomoo. One month after he, Bocary Noomoo, sent me, Tambah, Yeerabah, and Tahranah, my fellow slaves, from the colony to Rokahbantahmah, under the care of the chief man of that town; Moray Foday is his name; they are still in that place. Some time in last month messengers came from the Alikalie of Port Lokkoh for us; they stated in my hearing that the Governor of Sierra Leone is in a great rage on our account, and that they, the messengers, must have us. I and nine others were delivered to them. They brought us to Alikalie, who, on the day before yesterday, delivered me and eight others in charge of Pa Kindoo, at Port Lokkoh, who brought us to be given up to the Governor.

CEETAHPHA, a boy about five years of age, states as follows:—I am a Coossoo boy; was stolen on one morning when my parents were absent from my father's farm by a Foolah man, who brought me in the colony and left me with Bocary Noomoo; some time after he send me to a town above Port Lokkoh; I do not know what cause brought me back to the colony; I am very glad of returning to the colony.

TENNA, a girl about seven or eight years of age states as follows:—I am a Timminee girl; caught in a war, and was sold on two several occasions; my latter master brought and sold me in the colony to Dantoomah, brother of Bocary Noomoo; about five months ago I hear that there was some slave plaver; Bocary Noomoo and my master send me and seven other slaves (their names already states by Tambah the first person) to Rotah Kump, from there to Ro Kahbantahmah, where I and nine others were taken from, and delivered to Alikalie of Port Lokkoh, who send me and eight others on the day before yesterday by Pa Kindoo to the Governor.

MORY CEARAY, a young man of about eighteen years of age, states as follows:—I am a Koranker by nation; about two years ago was caught in a war; sold to a Koneekay man named Bandoo; he afterwards sold me to Mormordoo Noomoo, in a town called Ro Masamkah in the Timminee country; I never before this was in the colony; last month messengers came from Alikalie to the town Kahbantahmah, stating that the Governor of Sierra Leone had send to demand all Mamordoo Noomoo's slaves to be sent down to him at Sierra Leone, in consequence of which I and some others were delivered to them; they brought us to the Alikalie of Port Lokkoh, who on the day before yesterday delivered us to Pa Kindoo, who brought us here, and were delivered to the Governor for freedom.

DOOBAH YAHBEE, a boy about eight years of age, states as follows:—I am a Korankoh boy; I was caught in a war and sold to a Mandingo man, who afterwards brought me to the colony, and sold me to Mormordoo Noomoo; I do not know how long it was ago; I spent two Christmas's in the colony; when the slave plaver began last year my master on one night ordered me and those already stated by Tambah, the first person, to go down to the water side, where we met a large canoe was in readiness to take us in, when Bocary Noomoo, my master, and his wife ordered us to get in the canoe, which we do, and was sent off by the canoe men. Last month as I was in a farm working at Rotakump a man came to me and stated that my master had sent a person for me from Sierra Leone; I was then delivered to Alikalie, who delivered me on the day before yesterday to Pa Kindoo, to be brought to the Governor.

FARRAH, a boy of about eight years of age, states as follows:—I am a Korankoh boy; about two years ago I was caught in a war; a year after I was brought by that man caught me, and sold to Mormordoo Noomoo in the colony; about a month after my master sent me off in canoe to a town above Port Lokkoh call Rotahkump, where I was after wards taken to another town called Kahbantahmah, where nine others were taken from by Alikalie's messengers, and on the day before yesterday he delivered us to Pa Kindoo, to be brought to the Governor.

TAWOH, a girl about three years of age; unable to get any word from her; only answer to her name.

June 6, 1853.

CARDAY, a girl about eight or nine years of age, states as follows:—I am a Limbah girl. I was on one day caught when very young from the town I was born, named Ro Baray Rah, by a man who brought me into the colony and sold me to Woosoomannee, who aftewards sold me to Bocary Noomoo. I do not recollect how long it was ago when I was brought and sold in the colony; few months ago I hear my master say that the Governor wants to take us from him, and he on one night ordered me, Sarrah, Tambah, Moosoo, Farbo, Doobah, Yahbee, and Namoosah to go downto the waterside, where we meet a large

SIERRA LEONE.

canoe in readiness to take us in; my mistress, Yah Fatimah, ordered me to get in the canoe, and we went off to Ro tahkump; afterwards when news came to that place that the Governor send to take us, we were taken from that place to Rokahbantahmah, from where I was taken by the messengers from Alikahlie, and was delivered by Alikahlie to Pa Dabbo, who brought me down this morning.

(A true copy.)
(Signed) THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

Colony of Sierra Leone, Freetown,
May 13, 1853.

STATEMENT of THREE PERSONS out of Thirteen who were sent down from Macourie to His Excellency the Governor by William Chintsman.

CHO states as follows:—I am a Coossoo man. About four years ago a Foolah man brought me as a slave to the colony, and sold me to a Jolloff man named Amadoo Cham; his wife is now in the colony. About a month after he sent me to Bintie, a town above Port Lokkoh, and he have since brought me down to the colony twice by using me as one of the canoe men. He carried me up to the same place, with two other boys whom he bought in the colony; one of them named Calie. He sold that one for rice lately. The last time he brought me to the colony was about five months ago, when he heard that Mormordoo Yellie is reporting people about slave dealing to the Governor. He then ordered me to get in the canoe, and we went off. About four days after the crowning of the new Alikalie, we heard that the Governor had sent up Mr. M'Cormack and another gentlemen to seek after all the slaves bought or taken away from the colony. We make up our minds to run to Port Lokkoh, and meet Mr. M'Cormack, the Government agent, and to explain ourselves to him. The very day we reached Port Lokkoh he was then returned to Freetown. We then take the opportunity to get a canoe in the night, and managed to get to one Sierra Leone trader's factory, who sent us down yesterday to Freetown, where we arrived this morning.

BANGALOR, a Coosoo man, bought about six years ago by a Jolloff man, named Amadoo Cham. He brought me three times to the colony, by using me as one of the canoe men. About four months ago he sent me in charge of his brother, Sambah, to bring rice to his wife, who ordered us to go immediately, so I was sent off. I take the opportunity by hearing the Governor sending Mr. M'Cormack to Port Lokkoh to seek after the slaves taken out of the colony, to run away; and when I came to Port Lokkoh he, Mr. M'Cormack, was already returned to Sierra Leone. I and the rest of my companions manage to get to a Sierra Leone man's factory, who send us down. We are eight persons, belonging to one master, Amadoo Cham.

FORAE:—I am a Coossoo man. About two years ago I was sold by a man named Farlikalie to Sarra Nohhoh, who brought me to the colony, where I was two days, when he told me to go with him for rice at Port Lokkoh, where we reached, and ever since was in that place, until eight days ago I saw Cho, Bangaloh, and others, who came down, and I and four others joined them, and came down in a canoe to Macuray, a factory belonging to Chinchman, who sent us down; we are six persons belonging to one master, Sar-ra-noh-koh.

(A true copy.)
(Signed) THOMAS GEORGE LAWSON,
Government Messenger and Interpreter.

Colony of Sierra Leone, Freetown,
January 18, 1854.

SIR,

YOUR humble handmaid is not able enough to express herself in the English language of the wonderful and affecting event which had taken place with her, in the re-embracing of her daughter Boye, now known by the name of Kootah, whom your Excellency has rescued from slavery.

I and this my daughter were torn away from our native country by violent hands. I was taken away from her and sold to the Spaniards at the Gallinas some years ago; she was then quite a child of about five or six years of age. Through the great blessing of God, the vessel in which I and great many were embarked as slaves by the Spaniard, had been captured by one of Her Majesty's cruisers, and we were brought and liberated in the colony, where I since born four children, two boys and two girls. Sometime in in last month, little before Christmas, as I was in the market of Murray Town, near the Cape, selling ocros, I saw this child, Kootah, come to buy some from me. I looked very

earnestly on her; she also stood looking earnestly on me; my bowels yearn with sorrow in my heart. Finding her much to resemble my daughter from whom I had been torn away by force, I spoke to her, and by my examining the child in a way of questioning, found her to be my very daughter, whom I left now about eleven years ago. I asked her how she came here; she told me that she was sold by the people with whom she was left after my departure from that country to some Susoo people, who conveyed her in a canoe from that country to their country, and afterwards was brought from thence to the colony, and sold to a man named Peter Wilson, now dead in the gaol for slave dealing, who sent her and some other slave persons to a town named Roma Sankah; from where your Excellency through great trouble and expense has rescued her and others from slavery to freedom. I do not know what to say, nor what to do, but to fall down upon my knees and thank you and the Queen and all the good people of England who are doing such wonderful works for us unthankful Africans.

May God bless you, the Queen, and them, and may God ever give her and all the people of England the victory over every one that rise against them, and may she ever conquer all her enemies!

Your humble handmaid will feel greatly thankful to you, if your Excellency wll be pleased to permit the child to go with me to my dwelling at Murray Town, where the Queen had allotted me a piece of land, and where I have my own house, dwelling with my own husband, in freedom, peace, and quietness, that she, myself, her two sisters and brothers may enjoy each others mutual comfort and association in the same peace and comfort as that of a family.

I remain, &c.,

SUSANNAH or SA-BA her × mark. SHILLING.

Enclosure 4 in No. 8.

Encl. 4 in No. 8.

COPY of a LETTER from H. MERIVALE, Esq. to Governor KENNEDY.

SIR, Downing Street, March 28, 1855.

I HAVE received and laid before the Secretary of State your Letter of the 15th instant, transmitting additional information relative to the system of slavery which exists at Sierra Leone, and submitting the measures which you would propose to remedy the evil, besides enforcing education which you had already recommended in your Letter of the 13th ult.

The Secretary of State desires me to express to you his thanks for your suggestions, and to state that they will be recommended to Governor Hill's serious and immediate attention, with all the weight due to your experience, and to the zeal and energy which you have shown in endeavouring to abate the serious evils which you have exposed.

Governor Hill may rely on the support of Her Majesty's Government in carrying out the same course which you have followed; and the Secretary of State trusts that the result will be the extirpation of the malpractices which there seems too much reason to believe have grown up among a certain proportion, it is to be hoped a small one, of the population of Sierra Leone, under the misused protection of Great Britain.

I have, &c.

To Governor Kennedy, &c. &c. (Signed) H. MERIVALE.

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CORRESPONDENCE

RELATIVE TO

THE RECENT EXPEDITIONS AGAINST THE MORIAH CHIEFS

IN THE NEIGHBOURHOOD OF

SIERRA LEONE.

Presented to both Houses of Parliament by Command of Her Majesty,
August 1855.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1855.

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CORRESPONDENCE

RELATIVE TO

THE RECENT EXPEDITIONS AGAINST THE MORIAH CHIEFS IN THE NEIGHBOURHOOD OF SIERRA LEONE.

SIERRA LEONE.
No. 1.

No. 1.

Extract of a DESPATCH from Acting Governor Dougan to the Right Hon. Sir George Grey, Bart.

(No. 206.) Government House, Sierra Leone, December 9, 1854.
(Received February 5, 1855.)

"With reference to my Despatch, No. 183, dated the 31st October last, respecting the complaints of the Mooria chiefs to this government, I have the honour, in continuation of that Despatch, to report to you the following circumstances.

"I received a reply to my answer from these chiefs on the 8th November last, copy of which is enclosed, again reiterating what they had before stated, and expressing their dissatisfaction at the contents of my letter to them; -and they further added, that they required one Mamodoo Yellie (a Foulah man, who had given evidence which led to the conviction of several Foulah people for slave-dealing,) to be given up to them, as the king of the Foulah country had stopped all the paths, and no strangers could come down to trade, and that he was further determined to keep them closed for seven years more, unless Mamodoo Tellie was given up.

"Copy of my reply to this letter is also enclosed, dated 11th November last, wherein I have told them again that the law would not allow me to give up Mamodoo Yellie on their mere allegation that the king of Foulah had determined to stop the road for seven years unless he was given up, for by taking such a course he would be injuring himself and other chieftains more than the inhabitants of this colony.

* * * * * * * *

"I reminded them that they had done nothing yet in relation to the robbery committed on the premises of Mr. Horton at Mahala, and that they could not expect the merchants and traders of this colony to take their goods into their country if they did not afford the protection they had stipulated in the treaty with the Queen of England, and that if it was not better attended to by them I should be obliged to enforce the due performance of it.

"Here the correspondence ended, and the several messengers left the colony, and on the 22d November last I received from the said Mr. Horton a further complaint of an outrage having been committed upon his premises at Mahala, and that two of his canoes had been forcibly taken away from them (which he valued at 45*l.*) by people the subjects of Tombo Mahomodoo, the same chief referred to in the first robbery. Copies of Mr. Horton's letters of complaint upon this subject are also enclosed.

"On the 25th of November I received a communication from Mr. Charles Heddle, the principal merchant here, who has also a very extensive ground-nut trade in the Mellicourie river, forwarding me a letter received from Mr. Davison, a merchant residing in that river, who has the management there of Mr. Heddle's

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business, copies of which I have the honour to enclose. Mr. Davison's letter clearly states the conduct of King Mori Mina Lahie to be most outrageous, and this order for expelling the traders from that river in ten days from the 22d ultimo had caused the greatest alarm amongst them, and that unless some check was given immediately to his proceedings the consequences would be ruinous in the extreme.

"On the same day (the 25th of November) I received a similar communication from Mr. Thomas Reader, a very extensive merchant in that river, forwarding me three letters from his factors established there, copies of which are also enclosed. Mr. Reader fully confirms the statements made by Mr. Heddle, that it was necessary to take immediate action, or that all their property would be lost.

"From the commencement of the correspondence with these native chiefs I foresaw the necessity of being prepared for any contingency that might occur. I know too well from long experience the native character, and I was persuaded that some such movement as the one attempted to be enforced by them would be resorted to; and for the protection of British interests, as well as for the honour of this colony, I determined after due consideration the line of conduct I ought to pursue, and I immediately made the necessary preparations for carrying the same into effect

"These preparations and their results I shall have the honour to communicate to you in my next Despatch."

SIR, City of Freetown, October 7, 1854.

WITH the greatest humility I presume to encroach on your Excellency's precious time respecting the humble application I made to you some time ago relative to the robbery of about 200*l.* which had been committed on my factory at the river Scarcies by some of the natives of that place, when myself and clerk were cruelly and unmercifully beaten in our endeavours to prevent it. Your Excellency was graciously pleased to send a policeman with a letter to the chief, Tombo Mormadoo, in whose territory the robbery was committed, that he might, after investigation made into the nature of the matter, order the articles violently taken away to be returned, and the ringleaders to be punished. On the receipt of your Excellency's letter, the chief, Tombo Mormadoo, assembled his people, and endeavoured to discover the cause (if there were any) that occasioned the robbery, but he could not find out any. Upon this he faithfully promised to cause the restitution of all the articles stolen from me, and the delinquents to be punished.

I beg most respectfully to inform your Excellency that the chief, Tombo Mormadoo, has not fulfilled his promise in restoring the articles to me or in punishing the robbers.

I have, &c.

(Signed) MOSES P. HORTON.

His Excellency A. E. Kennedy, Governor-in-Chief,
&c. &c. &c.

SIR, City of Freetown, October 17, 1854.

I BEG most respectfully to inform you that I have been a trader at the river Scarcies for the period of above two years, where I have established a factory, and quietly carried on my business without injuring any of the natives or violating any of their laws; but about the 11th of last August I was suddenly surprised by the appearance of about 100 armed natives, headed by one Seddoo Yando, who has deeply involved himself in my debt. These men, having broken down the fence that surrounded my lodging, violently rushed into my stores and commenced plundering and carrying away my goods. Astonished at these proceedings, I requested of them the cause of such unjust and arbitrary measures, and also endeavoured to cause them to desist from their nefarious actions. They replied that they were thus authorized to act by the chiefs whose territories lay along the river above named, and instead of desisting, they ransacked my stores, and carried away about 200*l.* worth of goods, after they had mercilessly beaten myself and wife, and with their cutlasses inflicted on my clerk three deep and severe wounds on his head. They would most probably have made an end of us, had we not been providentially rescued from their hands by the kind interposition of two of the traders, who were then at my factory with their men.

I beg moreover to inform your Excellency, that having represented my grievances to his late Excellency Governor Kennedy, he sent a policeman with a letter to the chief, Tombo Mormadoo, in whose territory this depredation was committed, commanding him, under a penalty of forfeiting his stipend, to cause every article taken from me to be restored and the depredators to be punished. On the receipt of that letter, the chief having examined the matter and found that I was wrongfully and unjustly assaulted, solemnly assured me of his willingness to observe his late Excellency's commands, and also promised that all the articles would surely be restored within two days; but he has not fulfilled his promise and engagement yet. His late Excellency having discovered the treachery and infidelity of the above-named chief, deigned to assure me that he would send the ship of war "Dover" to compel him to fulfil his engagement; but provided he might be prevented from accomplishing his purpose in witnessing the recovery of those articles, he commanded me to send him my application (a copy of which is annexed), to be recorded and transmitted to his successor. I beg most respectfully further to inform your Excellency that all the neighbouring chiefs of that river are collecting their people, with a firm resolution to plunder my factory again; and also I humbly beg that your Excellency would vouchsafe mercifully to grant me that support and succour which, in my deplorable condition, I most earnestly desire, both in the recovery of my property and security of my person.

I have, &c.
(Signed) Moses P. Horton.

His Excellency R. Dougan, Acting Governor,
&c. &c. &c.

Sir, City of Freetown, October 18, 1854.

In obedience to your order of yesterday's date, I beg most respectfully to say that there was no occasion of any kind whatever given to the chiefs and natives at the Scarcies for their late attack on my factory, nor could they allege any reason for the same after the chief "Tombo Mormadoo" and his principal men had endeavoured, during seven days successively in the presence of "Corporal Johnson," his late Excellency's messenger, to find out the cause of the attack; whereupon they unanimously confessed their wrong, and faithfully promised to restore all the various articles plundered; and so conscious were they of having offended me by encroaching on my rights, that "Tombo Mormadoo," in the presence of "Corporal Johnson," gave orders for the restoration of everything carried away.

After an absence of seven days from my factory, occasioned by my attendance at the chief's court, I met, on my return, six men who had run away from their masters, in the interior, seeking for freedom. A few hours after, the owners of those unfortunate men arrived at my factory and demanded them, and I immediately, in the presence of the above-named corporal, and many other witnesses, ordered them to return to their masters, but they resolutely determined that they would rather hazard their lives for their emancipation than be again inthralled; whereupon "Corporal Johnson" for the preservation of their lives, ordered them into his late Excellency's boat and brought them into this colony.

I beg further to inform your Excellency, that I received two letters yesterday afternoon from my factory men acquainting me with the repeated threatenings which have been held out to them by the natives, who are actually preparing to renew their attack on my factory, on account of the slaves whom Corporal Johnson had brought into the colony.

Being in this very unsafe and dangerous condition, and entirely destitute of all means either of recovering and securing my property or protecting my person, which will be greatly endangered, provided I venture to return to my factory without your Excellency's patronage, I therefore most humbly pray you would graciously be pleased to grant to your humble suppliant your kind patronage and succour.

I have, &c.
(Signed) Moses P. Horton.

His Excellency R. Dougan, Acting Governor,
&c. &c. &c.

Sir, Colony of Sierra Leone, November 22, 1854.

I beg leave to lay before you the following statement for the information of his Excellency the Acting Govornor, that since I had applied to his Excellency for redress of injuries done to me by Tombo Mormadoo's subjects, "Chief of Murricannuo."

I beg to state, that on the 16th instant my factory "Mahala" had been again visited by some of them, viz., Sombor Larhie, of Murricannuo, subject of the above chief, and Joseph Parker, a Sherbro man, residing in the Great Scarcies, in the jurisdiction of King Sattan Larhie, in whose absence Lamina Bamay is considered as the principal chief.

SIERRA LEONE.

These parties, with a body of men, went to the above-named factory on the date above stated, violently taken and carried away two of my large canoes, valued 30*l.* and 15*l.*, total 45*l.*

I humbly beg the interference of his Excellency, who will cause the restitution of the same.

I have, &c.

J. F. Smyth, Esq., Colonial Secretary, (Signed) Moses P. Horton.
&c. &c. &c.

My dear Sir, Sierra Leone, November 25, 1854.

I hasten to communicate to you a letter I received late last night from Mr. Davison. The threats and proceedings of Morie Lahie, since the return of Mamadoo Turay, have thrown the British and French traders into the greatest alarm. The summons to remove their property, consisting principally of bulky produce scattered over the different rivers, is impossible, and indeed is only a precursor of the system of incendiarism to which Morie Lahie will resort long before the expiry of the ten days, unless something is done, and done immediately, to check him. I believe all the other traders in the river have received communications of a similar nature to the one enclosed.

I remain, &c.

His Honour the Acting Governor, (Signed) Chas. Heddle.
&c. &c. &c.

My dear Sir, Mellecourie, November 22, 1854.

I hasten to inform you that I have received notice from Morie Lahi, King of Malagea, to quit the rivers in ten days from to-morrow; after which time all the property I have here and elsewhere will be at the mercy of every scoundrel. I have directed Mr. Ross to fill up "Creole" with all the produce and goods she can take. I have sent for the "Infant" to load the goods and produce here, where I am now obliged to stay to protect my interests.

Morie Lahi has threatened to take forcible possession of Binty. He has seized M. Dupuy's canoe that was landing salt from the "Zephyr." Things must now come to a crisis.

Your huts are quite at the mercy of Morie Lahi's satellites, and their name is legion. Send me a schooner, if possible, for Fourricaria.

In haste.

I remain, &c.

Charles Heddle, Esq. (Signed) D. H. Davison.

P.S. I have been obliged to order arms to be distributed to all the mechanics at Binty.

(Signed) D. H. Davison.

Sir, Freetown, Sierra Seone, November 25, 1854.

I have the honour to accompany this with three letters I have just received from the Mellicourie, whereby your Excellency will perceive that I am prevented carrying on my legitimate business there, from a law imposed by the native chiefs, in consequence of which I am obliged to send vessels at very considerable expense to remove my goods and those of my contractors from the Mellicourie river. I am not only subject to the expense of sending vessels but sustain other serious losses, such as damage occasioned by the removal of goods, independent of the loss of goods themselves, besides the loss of labour from persons being employed who are prevented from carrying on their regular duties.

As a British subject, I have to bring the above matters under your Excellency's notice, and have earnestly to request that your Excellency will be pleased to afford me redress.

From the very disturbed state of the country I do not consider it would be safe for any British subject to remain in the river.

I have, &c.

His Excellency the Governor, (Signed) Thos. Reader.
&c. &c. &c.

SIERRA LEONE.

DEAR SIR, Mellicourie, November 22, 1854.

THE people now at Mellicourie disturb us from trading, and put a law that nobody is to trade, and to collect all the factory in one place and go away from the river all of us, both French and English; and they gave us only ten days' notice to go away altogether from the place, so I write to tell you before hand, but you will learn it better from Mr. Caille's letter and others.

I remain, &c.
For E. Reader,
(Signed) JAS. CUMMINGS.

Also Mr. Davison intends to remove his goods away from here to-morrow, and they seize one Frenchman by the name of Deupeny. I think it is better for me to write you of the same.

I remain, &c.
For E. Reader,
(Signed) JAS. CUMMINGS.

Thomas Reader, Esq.

SIR, Fernando Po, November 22, 1854.

THIS day the king sent to call the tradesmen in the factories, black and white men, to come up to his place, and so we did; we all went up there, and he told us that he put a law in all the factories to stop tradesmen, and also from doing any work at all; that the tradespeople all must stop, and any tradesmen who have any factory anywhere must send; and he only gave ten days' time for all the people to take their goods out of the river, commencing on 22d November, that is all the time he gave, and from this day he will not allow us to buy any fowls or fish nor anything at all, and if the appointed time is up there is not a vessel to bring anything or carry anything out of the place, we are all shut up like prisoners in our place; after the time is up nothing will go out, nothing will come in. If you please to come up yourself and see what we shall do about it. Unless you come up yourself there will be nothing better here. I only wait for you; they do not allow any work to be done; all our work is stopped, and I am not allowed to buy anything to eat nor anything at all, and I beg you to come up yourself. No more victuals are left in our store.

Believe me, &c.
(Signed) JAMES WYNNE.

Thomas Reader, Esq.

MY DEAR SIR, Mellacourie, 23d November, 1854.

I HAVE taken the opportunity of Mr. Davison's boat to write you these few lines. The King of Maliguia send for us yesterday (says all the white men), and he tell us that the Governor having settled his plaver not to his satisfaction, he put a law that nobody is to trade any longer in this river, neither in the Fouricaria, Bereira, Sumbooya, and Dubrika, and he give us ten days to collect all the goods that we get in these different rivers, and he say that after ten days he has nothing to do again with nobody if the country people set fire to our store, or if they break them, he wont hear nothing from nobody, neither own landlord. By these words I can think, that after ten days the country people want break our stores or put fire to them. Yesterday a French cutter come to Mr. Drepuy, and to-day they send canoes to bring the salt up, and the King of Maliguia seize the canoes loaded with salt. To-day Mr. Davison been down to Maliguia to see the king, and he receive him in cursing him. Davison will begin to-morrow to take all his goods from Mallicourie; as for me, I will begin to-morrow to send my produce and my goods down to Fernando Po, it is too much risk to keep goods up here, considering the unsettled state of the country, I tell James to write you about all these plavers. That is all I have to tell you at present. If you can do anything in town to settle this plaver that will be a very good thing; but if you think that the Governor refuse to do anything, I think he will be a good thing if yourself can come up here, than you can see if you can leave your goods, or if you can remove them. I think we shall be obliged to do this last thing. I hope you will let me know by the return of Mr. Davison's boat what you intend to do, if you want to remove the goods or not; if you want do so, I advise you to do it the more quicker as possible; if you have any newspapers for me please send them by that boat. Please remember your brother about the things that I wrote him for. My compliments to Mr. Dyett and your brother. I hope you and all your family are quite well.

I remain, my dear sir,
Your's very truly,
(Signed) F. CAILLE.

Thomas Reader, Esq.

SIERRA LEONE.

No. 3.

No. 2.

Copy of a DESPATCH from Acting Governor Dougan to the Right Hon. Sir George Grey, Bart.

(No. 207.) Government House, Sierra Leone, December 12, 1854.

Sir, (Received February 5, 1855.)

I have now the honour to inform you, that previously to my receiving the information contained in my last Despatch, No. 206, of the 9th instant, of the danger in which British interests were placed by the conduct of the king of the Mooria country, I addressed a letter to Captain Heseltine, of Her Majesty's sloop "Britomart," the senior naval officer of this station, on the 24th November last, who had fortunately arrived the evening before from Cape Coast, urging the necessity of his affording me a sufficient naval force to demand from that king reparation for the depredations at that time committed upon British subjects. Copies of which correspondence I transmit, with their enclosures.

2. On the following day Her Majesty's steam sloop "Prometheus" also arrived from Cape Coast with the troops sent there from this colony, and also having on board the Gambia contingent. I at the same time received by her a letter addressed to me from Commander Adams, a copy of which is enclosed, in reply to mine addressed to him for the aid of a steamer of small draft of water, so that she would be able to proceed up the rivers in this neighbourhood, which I have previously had the honour of communicating to you; and as the commodore had given Captain Heseltine the necessary instructions in the event of my applying to him for assistance, I immediately placed myself in communication with Lieutenant Colonel Foster, the officer commanding the troops, and required him, should it be necessary, to supply me with 300 rank and file, for the purpose of making a demonstration in the neighbouring rivers, to bring the chiefs to an account for their conduct towards this colony, Captain Heseltine having agreed with me that it would be most desirable that he should have an effective force with him; and I have the honour to inform you that the officer commanding the troops immediately complied with this requisition, and stated they would be prepared for embarkation at an hour's notice.

3. Captain Heseltine thought it would be better in the first instance, notwithstanding the depredations of these chiefs, that he should send the "Prometheus" to the neighbouring rivers with letters from me, which might induce them to arrage matters in a pacific manner; but, should these means fail, he would then be glad to offer me all the assistance in his power to obtain restitution for the loss sustained by our traders; and to this proposition I immediately assented. Vide copy of letters enclosed.

4. The "Prometheus" sailed from this onthe 27th ultimo at midnight, and returned to this port on the first instant; and on the same day Captain Heseltine informed me by letter that Commander Selwyn had furnished him with a report of his proceedings up the Melicourie river, by which it will be seen that the king (Bamba Mina Lahie) purposely absented himself from the meeting of the chiefs on board Her Majesty's ship "Prometheus," and that all the chiefs expressed their utmost readiness, as far as laid in their power, to preserve peace at any price, and at the same time tacitly admitted the fact with regard to the law which had been made to banish traders from the Mellicourie river, and the overt acts of the seizure of produce, &c.; but yet, without the sanction of King Bamba Mina Lahie, the assent of these minor chiefs was entirely useless, and Commander Selwyn, after communicating his intentions through the chiefs to the king, and after receiving a vague and unsatisfactory reply thereto, left the river for Sierra Leone, as previously instructed. The copies of Captain Heseltine's and Commander Selwyn's letters are enclosed, also the enclosures in the latter, forwarded to Captain Heseltine.

5. Immediately upon the receipt of these communications I made arrangements with Captain Heseltine for the embarkation of the troops, and as Her Majesty's colonial steamer "Dover" arrived in the meantime from Cape Coast, for the purpose of conveying the Gambia contingent from this colony, I availed myself of her small draft of water to obtain her services in this expedition, particularly as it appeared to be the wish of Her Majesty's Government that for a portion of the year this steamer should be available for both settlements; and I then placed her under the orders of Captain Heseltine, who was well satisfied to have her services to take the lead up the river, as she only drew six feet of

water, and before he started from this he placed two howitzers on board of her, as a precautionary measure, in the event of his being compelled to resort to hostile measures. The troops were consequently embarked in the afternoon of the 2d instant, and the expedition, consisting of Her Majesty's ships "Britomart," "Prometheus," and "Dover," sailed during the evening of that day.

6. I furnished Captain Heseltine with a copy of my letter which Commander Selwyn had omitted to deliver to King Lahie, and requested him to take the means of sending it to the king immediately upon his arrival at Malagia.

7. Subsequently to the departure of the expedition I received two letters from Mr. Davison, of Mellacourie, dated 25th and 26th November, detailing further complaints against Mori Lahie of a very aggravated nature, in which it is seen he barely escaped from personal violence. Vide copy enclosed.

8. The expedition returned to this port on the 6th instant, and I have the honour of forwarding copy of a letter, with its enclosures, addressed to me by Captain Heseltine, reporting his proceedings in the Mellacourie river, which have terminated in a very satisfactory manner, and all parties agree in declaring that the effect produced upon the natives by this demonstration will not be forgotten by them for a very long while.

9. Captain Heseltine, you will see, confined his demands for compensation to the several traders, French as well as English, (as I had previously instructed Commander Selwyn to do,) for the loss sustained by them in the Mellacourie river alone. The arrangement made by him with these chiefs is as follows:—

"*British Traders.*

Mr. Davison - - -	$300	For loss sustained by them in the removal of their goods in consequence of the peremptory order of King Lahie to quit the river in ten days, with their goods.
William Shaw, agent of Mr. T. Reader - - -	150	
Do - - - - - -	80	Refund for property forcibly taken by King Lahie.

"*French Traders.*

J. Dupuey - - -	$250	150 dollars of this sum for the value of a canoe with salt forcibly taken from him. 100 dollars expenses in removing his goods.
F. Caille - - - -	100	20 dollars of this sum is for a forcible payment exacted by the king, being an extortion, and the remaining 80 for expenses in removing his goods.
F. Boucher - - - -	50	Expenses in removing their goods upon the order given by the king.
B. Valentine - - -	50	
Rigoudat - - - -	50	
Total - -	$1,030	

10. You will perceive by the agreement, enclosed in Captain Heseltine's letter, that this amount is to be paid in three months by these chiefs to the parties before named, who are well satisfied with that arrangement, and the chiefs have further consented to abstain from and prevent all future aggressions on the persons and properties of subjects belonging to either nation.

11. I do myself the honour of also forwarding a copy of Captain Rooke's report of the proceedings on shore, addressed to Governor O'Connor, of the Gambia.

12. I think it is extremely gratifying in despatching this expedition for the protection of British subjects and their property, and in carrying out the orders to answer that desirable end, it should be in the power of the British Government to afford protection at the same time to the persons and properties of the subjects of France who are now so closely allied to us, and that the whole

SIERRA LEONE.

matter has been arranged to the satisfaction of all parties without coming to a collision. I am however assured, Sir, but for the imposing force brought to bear upon the King's Town a very different result would have followed. Her Majesty's ships "Prometheus" and "Dover" anchored immediately opposite the town, and the troops and marines who landed amounted in all to about 450 men. The "Britomart" was obliged from her heavy draught of water to anchor at the mouth of the river.

13. The rains having ceased, there could not have been a more favourable opportunity for bringing these chiefs to their senses, and I am confident that they will hereafter conduct themselves with proper respect to the traders in the adjacent rivers, and that there will be no further impediments to our trade.

14. The only drawback in conducting this affair to a termination has been, that the "Promotheus" received some damage by striking on a rock as she was proceeding up the Mellacourie river.

15. I have expressed to Captain Heseltine my approbation at the promptness and zeal with which he had compelled these chiefs to agree to pay the losses sustained by the merchants and traders in the Mellacourie river, in consequence of the peremptory order issued by the king, and also to convey to Commander Selwyn, and the officers and men who accompanied him in this expedition, my acknowledgements for the temperate and successful manner in which the duty had been performed. I have also conveyed to Captain Rookes, who commanded the troops, and to the officers and men who were with him, similar acknowledgments.

16. You will perceive that Captain Heseltine did not make any written arrangement with these chiefs as to the depredations committed upon Mr. Horton, at Mahala, in the Scarcies River, amounting to 200*l*., but they verbally promised to see the claim settled. I therefore thought it desirable to detain the "Dover" a few days longer, and to send up direct to the original transgressor, Tomba Mamodoo, the chief residing in the Moricanyia river, whose people had committed the robbery upon Mr. Horton, and I immediately despatched Mr. Mallard, the harbour master, upon this duty, giving him the necessary instructions for his guidance He left this on the morning of the 8th instant, and returned last evening. A copy of the report of his proceedings is enclosed, and by it, it will be seen that although this chief had not returned a single article previously to the sailing of the expedition to the Mellacourie river, that so soon as he heard of the result of that expedition, and perhaps anticipating a similar visit, commenced delivering several articles of produce to Mr. Davison, a trader in that river, who kindly consented to receive anything he would pay on account of Mr. Horton. Mr. Mallard insisted upon his paying the balance of 630 dollars, after deducting the goods delivered to Mr. Davison, and he at last succeeded in obtaining from him 57 dollars in bullocks and rice, which reduced the claim to 595 dollars, for which this chief signed an agreement to pay in two months,—a copy of it is enclosed; but as he had prevaricated so much in his promises for payment, Mr. Mallard would only receive it upon his delivering him up two of his head men as hostages, which were brought down in the "Dover" and are here at large. They will of course be allowed to depart upon the payment of this balance, or upon security being given.

17. The claim for the two canoes which were stated to have been forcibly taken away by the same people from Mr. Horton's factory, Mr. Mallard was not in a position to prove, and he therefore very properly relinquished it.

18. Mr. Mallard also, in the few days he was away, was enabled to settle another matter of dispute as to the right of occupation of a factory at the town of Kikutali, in the mouth of the Mellacourie River; and as both of the parties concerned are fully satisfied with the arrangement made, I need not trespass upon your time in entering into particulars.

19. I have every reason to be satisfied with the manner in which this affair has been conducted by Mr. Mallard; it has been executed promptly and efficiently.

20. The "Dover" with the Gambia contingent will proceed on her way without delay. The commander of the "Dover," Mr. Mitchell, has zealously performed the duties required of him, both on the occasion of the visit to the Mellacourie as well as the Moricanyia River.

21. I trust you will approve of the measures I have taken in this emergency; I have acted throughout solely for the protection of British subjects and the commerce of the colony, and I have done so because there was no other path open for me to pursue; conciliatory measures had been almost carried too far, and with these natives, who are in fact but savages, I had no alternative.

I have, &c.

(Signed) R. DOUGAN,
Acting Governor.

The Right Hon. Sir George Grey, Bart.,
&c. &c. &c.

Government House, Sierra Leone,
November 24, 1854.

SIR,

I HAVE the honour to enclose copies of two letters addressed by Mr. Moses Horton, a British subject, and a trader in the Scarcies river, to Governor Kennedy and myself, by which it appears that an unprovoked outrage has been made upon the property and person of this trader, at a factory called "Mahala," in the territory of a native chief named "Tombo Mamodoo." This chief was subsequently called upon by this government to make satisfaction to Mr. Horton, either by returning the goods or paying the value of them, which is about two hundred pounds. Vide Governor Kennedy's letter, copy of which is enclosed.

Tombo Mamodoo subsequently promised to arrange this matter with Mr. Horton, but he has failed in doing so, and I was therefore compelled to apply to the chiefs of the Mooria country, the king of which (Mori Lahie) resides at the town of Malaghea, near the mouth of the Mellicourie river, to see this matter arranged with Mr. Horton, but they have also failed in doing so.

I have now to draw your attention to a further complaint made by Mr. Horton, of the same party having forcibly taken away two of his canoes from his factory at Mahala, without the slightest provocation on his part. So far as I have been able to ascertain the value of these canoes is about forty pounds.

I have also the honour to enclose two letters addressed to me by Mr. Charles Lavers, a British subject, and a trader in the Scarcies river, and Mr. Lawson, the Government messenger, detailing the circumstances attending a further outrage committed upon the property of Mr. Lavers, and on the persons of the captains of his two canoes, by natives of the Soosoo country residing in the territory of King Stephen, the chief of Wankafong.

I have called upon this chief to have an inquiry instituted, and to punish the offending parties; also to return the property, or the value thereof, to Mr. Lavers, but as yet I have received no reply from him.

These aggressions are merely a prelude to what may be expected if measures are not at once adopted to show these chiefs that they shall not commit such outrageous acts against British subjects with impunity.

You will readily see, from the particulars above mentioned, that the forbearance of this government has been tried to the utmost, and that coercive measures are now indispensably necessary to be taken, not only to bring these native chiefs to a proper sense of that which is right in their transactions with British subjects, trading in their territories under the solemn sanction of treaties entered into with them, but to uphold the honour and future welfare af the colony.

The stoppage of the trade in the neighbouring rivers would be the downfall of this colony, for it is entirely dependent upon the traffic carried on there; the commerce of the colony itself is comparatively worthless.

It is therefore, Sir, incumbent upon me, to request that you will, so soon as is compatible with the exigencies of the service, direct a sufficient naval force to proceed to these rivers for the purpose of demanding satisfaction for these outrages, and if not complied with within the space of two hours after such demand be made, to take the most effectual means of destroying their towns.

I shall be able, so soon as the troops belonging to the garrison return from Cape Coast Castle, which is daily expected, to have at command, for the purpose of assisting you in these operations, at least 200 men.

I have, &c.

(Signed) R. DOUGAN,
Acting Governor.

Captain Hesseltine, R.N.,
Her Majesty's Sloop "Britomart."

SIERRA LEONE.

Government House, Sierra Leone,
November 27, 1854.

My Friends,

I have been informed by our merchants and traders in the Mellicourie and Scarcies rivers that you have given them notice to leave their factories and places of business within ten days from the 22d instant, and that you have intimated to them that if their goods are not removed before the expiration of that term you will then abstain from giving them any further protection.

I can scarcely believe this, and if it be true I am at a loss to understand what it means. I have therefore requested the senior naval officer to send a man-of-war steamer to ascertain the truth, and if he finds that matters are as they have been represented to me he will in my name call upon you to make restitution of all property your people have forcibly taken from the Queen's subjects in those rivers, and further to make good any loss which the merchants or traders of this colony may sustain in consequence of the notice which you have issued.

And accounts of positive depredations having also reached me, but which may not be to the full extent of what has been committed, I have requested the commander of the steamer to make inquiries on this subject also.

The commander of the steamer on ascertaining how matters really stand will demand your assent in writing, within two hours, to such terms as he may propose by letter; and upon your withholding your assent to such terms beyond the time just stated, he will without delay return to this colony.

I remain,
Your Friend,
(Signed) R. Dougan,
Acting Governor.

To King Bamba Minah Lahie and the
Chiefs of the Moria country,
&c. &c. &c.

Benty Factory, Mellacourie River,
November 25, 1854.

Sir,

I have the honour to acquaint you with certain grievances received by me at the hands of Mori Lahi, King of Malaghea and his people, and most earnestly request your attention to the case at your earliest convenience.

I received a message from Mori Lahi on the 22d instant, to attend a meeting of chiefs and head men at his town. I arrived at Malaghea on the following day, and in the presence of a multitude of people was informed, through the medium of the interpreter, Mamodoo Turae, that in consequence of no satisfaction having been given by your Excellency for two canoes with slaves being seized and four people belonging to the canoes being shot, the kings, chiefs, and head men of the Moreah country, had determined upon stopping the trade until satisfaction was given.

I was ordered to quit this and all other rivers with my merchandise and produce, within ten days from the date of the meeting, and told that if I allowed any of my produce and merchandise to remain in this or any other river after the expiration of that time, he, Mori Lahi, would not be responsible for any loss I might incur from robbery or fire.

I replied that the time specified was too short,—that it was impossible I could remove my property in ten days,—and that, independently of goods, I had sufficient produce to load eight vessels. *That*, he replied, was no business of his; I was to move in ten days.

I told him it was evident to me the law was made for the purpose of giving his people an opportunity to plunder the factories, as no man could remove from this and the adjacent rivers in the time.

Upon this, Mori Lahi immediately rose, and after using the most insulting and abusive language, ordered his people to seize me, when Mamodoo Turae and my own people threw themselves between me and my threatened assailants. Their so acting, and my own presence of mind, alone prevented an outrage being committed on my person of a most serious character.

Order, through the medium of Mamodoo Turae, was at length restored, when Mori Lahi told me, that not only should I leave the upper part of the river, but Benty also. He would let me know that he was sole master of this river. My reply was, that he had not the power to remove me from Benty, and that I would represent the whole affair to your Excellency. I then commenced loading my craft with produce and merchandise as ordered, and sent them to town.

All trade has been stopped, and I have been put to great expense and inconvenience in removing my factories from the head of the river.

I trust your Excellency will see the necessity of causing an inquiry to be made into the circumstances with a view to bring this Mori Lahi and the other chiefs to their senses.

I may, in conclusion, add, for your Excellency's information, that the French traders in the river have addressed their consul on the subject of a similar notice they have received.

I have, &c.
(Signed) D. H. Davison.

His Excellency Robert Dougan, Acting Governor,
Sierra Leone.

EXTRACT of a LETTER from Commander HESELTINE, R.N., to Acting Governor DOUGAN. SIERRA LEONE.

"H. M. Sloop 'Britomart,' Sierra Leone,
"6th December 1854.

"WE arrived off Bentee on the morning of the 3d, where I left the "Britomart" to protect the merchants who had taken refuge there. I found several of these were French, who were labouring under the same threats, and from the present existing treaties between the two nations I deemed it my duty to make their cause one with our own. I therefore procured a written statement of their grievances, copies of which I enclose, and proceeded in the "Dover" up the river to Mallaghia, the principal town, where I arrived on the morning of the 4th accompanied by the "Prometheus," but not, I regret to say, without the latter having sustained some damage by touching one of the many rocks in this river.

"On my arrival I proceeded at once to the shore, where I saw several of the chiefs, and myself gave them a letter enclosing yours and cautioning them that they would only have two hours to answer it. In about an hour and a half Borri Lahie, king of Mallacourie, and several chiefs, came on board, informing me that Mori Lahie was sick and could not come to me. I gave them to understand that at the expiration of the two hours I should land with all my force. This I was eventually obliged to do, and after a long palaver had the satisfaction of making the enclosed agreement to the content of the aggrieved parties.

"The king did not show himself at the meeting, but I ordered Commander Selwyn to proceed to his house and get his signature. This done, he rode down and viewed the troops. I would not be present, as he had refused to come on board to me, from fear, I suppose, of being made a prisoner."

AGREEMENT entered into and made between Commander A. Heseltine, of H. M. S. "Britomart," senior officer of the Sierra Leone division, on behalf of Her Majesty the Queen of England on the one part, and King Bamba Mori Lahie and certain chiefs of the Mooria Country on the other part.

1st.—That certain complaints having been made by British and French merchants of frauds committed on their property at the town of Mallegea, and confessed by the said king and chiefs to be true, the latter hereby promise and agree within three calendar months from the date hereof to make restitution to the said merchants as stated below, viz.:—

Mr. Davison	300	dollars.
„ W. Shaw	230	„
„ J. Dupuy	250	„
„ F. Caille	100	„
„ F. Boucher	50	„
„ B. Valantin	50	„
„ Rigoudat	50	„
Total	1,030	

And, further, to abstain from and prevent all future aggressions on the persons and properties of subjects belonging to either of these nations.

2d.—This agreement is not in anyway to interfere with any former treaties, all of which are still to be held binding, under penalty of the severe displeasure of the English Government.

Dated at Mallegea, this fourth day of December, One thousand eight hundred and fifty-four.

(Signed) A. HESELTINE,
Commander and Senior Officer.

BAMBA MORI LAHIE.
BORRI LAHIE.
DEMBA BAMBAYA.
} Signed in Arabic.

Witnesses, J. H. SELWYN,
Commander of H. M. S. S. Prometheus.
WM. ELLIOT MOCKLER,
Captain 2d W. I. Regiment.
D. H. DAVIDSON.

SIERRA LEONE.

No. 3.

No. 3.

Copy of a DESPATCH from the Right Hon. Sidney Herbert to the Officer administering the Government.

(No. 4.)

Sir, Downing Street, February 22, 1855.

No. 206. Dec. 9, 1854.
No. 207. Dec. 12. 1854.
No. 223. Dec. 27. 1854.

I have received your Despatches of the numbers and dates noted in the margin, and Governor Hill's, No. 7, of 5th January, reporting the outrages committed on the property and premises of British merchants by the subjects of the Mooriah chiefs, and the expedition which you were compelled to make against those chiefs after your endeavours to induce them to desist and to make reparation had failed.

The expedition appears to have been conducted with much discretion as well as success, and I have learnt with satisfaction that the objects of it were attained without any collision having taken place, and that it had led to a revival of the trade which had been stopped.

I shall communicate to the Board of Admiralty and to the War Department the testimony which you have borne to the conduct of the naval and military force on this occasion, and shall request the Governor of the Gambia to acquaint Mr. Mitchell, the Commander of the "Dover," that I had received with pleasure your report of his having performed his duties zealously.

It is my intention also apprize the Earl of Clarendon of the measures taken for obtaining indemnification for the French merchants who had suffered losses through the misconduct of the natives.

I am, &c.
(Signed) SIDNEY HERBERT.

The Officer administering the Government.

No. 4.

No. 4.

Extract of a DESPATCH from Acting Governor Dougan to the Right Hon. Sir George Grey, Bart.

Government House, Sierra Leone,
(No. 223.) December 27, 1854.
(Received February 5, 1855.)

"Three weeks have now elapsed since the arrangement was entered into with the Mooria chiefs, and I am much pleased to be able to inform you that they have so far kept their promises that commercial matters are proceeding in due course. The merchants and traders in the Mellacourie and Scarcies rivers have re-established their factories, and produce is transported to and fro without impediment."

No. 5.

No. 5.

Copy of a DESPATCH from Acting Governor Dougan to Her Majesty's Principal Secretary of State for the Colonies.

(No. 49.)

Government House, Sierra Leone,
March 20, 1855.
(Received May 7, 1855.)

Sir,

Adverting to my Despatch, No. 207, of the 12th December last (paragraph 16), I have great pleasure in being able to inform you that Tombo Mahommodoo, the Chief of the Moricanyia river, who had given an undertaking to this government to pay 595 dollars in two months from Mr. Mallard's visit to that place, demanding reparation for the outrages committed upon the person and property of Mr. Horton, a British trader, has paid over the full amount of his undertaking, and I have every reason to be well satisfied with Mr. Mallard's conduct upon that occasion.

I have, &c.
(Signed) R. DOUGAN,
Acting Governor.

Her Majesty's Principal Secretary of State for the Colonies.

No. 6.

Copy of a DESPATCH from Acting Governor Dougan to Her Majesty's Principal Secretary of State for the Colonies.

(No. 96.)

Government House, Sierra Leone,
June 12, 1855.

My Lord, (Received July 18, 1855.)

With reference to my Despatch addressed to Sir George Grey, on the subject of the Mooria chiefs, No. 206, of the 9th December, 1854, I have the honour to report to you the following circumstances.

2. In arranging at that time the differences between Bamba Mina Lahai, the king of Malagea in the Mellicourie river, and this government, an agreement was entered into in writing between him and certain chiefs of the Mooriah country and Commander Heseltine, on behalf of this government, that the sum of 1,030 dollars should be paid by them within three months from that date for frauds committed on the property of British and French traders settled in that river, and satisfaction for injuries committed, which unlawful acts were confessed by the said king to be true.

3. Upwards of five months having elapsed without any portion of the said amount being paid by the said chiefs, I deemed it my duty to request Commodore Adams to allow Her Majesty's steamer "Teazer," to proceed to the Mellicourie river, as this vessel drew a very small draft of water (7 feet), and to give a passage in her to Mr. Dillet, my private secretary, whom I authorized to make a demand upon Bamba Mina Lahai for the amount.

4. This vessel proceeded from this port on the 19th of May, and arrived off the town of Malagea on the 20th, and returned here on the following day.

5. By Mr. Dillet's report, a copy of which is enclosed, your Lordship will see, that, notwithstanding the lenity shown the king of Malagea on the former visit, by allowing him three months to pay the amount agreed upon instead of then destroying his town for his gross misconduct, yet, when called upon upwards of two months after the expiration of that time, he pretended, first, that he knew nothing at all of the matter; then, that he had been induced to sign it when on a sick bed; and afterwards, with the view of getting altogether rid of the formal undertaking he had made in the presence of three commanders of the navy and many military officers, he promised Mr. Dillet to pay 300 dollars in full of all demands. This offer was of course rejected; and after the steamer had remained about ten hours off the town without any alteration in the king's determination, she returned to this place for further orders, assuring the king that the next visit would undoubtedly be accompanied by a hostile force. Lieutenant Nicolas' report to Commodore Adams will confirm Mr. Dillet's to myself. A copy of which I have the honour to enclose.

6. After this barefaced refusal (to pay this amount) of the king of Malagea for the injuries inflicted upon British subjects and the subjects of the French, which had so formally been agreed to be paid by him, taking into consideration also the forbearance which had been shown towards him, and that by the non-payment of this money, the object for which the expedition had been sent in December last yet remained unfulfilled, and our treaty trampled upon by him at his will and pleasure, I was led to conclude that nothing short of hostile measures would have the slightest effect upon him, and I thereupon put myself in communication with Commodore Adams, and required from him the further use of Her Majesty's steamer "Teazer." A copy of this application is enclosed.

7. Immediately after this application was forwarded, the commodore made a verbal request to me through an officer, that I should be prepared to embark 100 troops on board the "Teazer." I at once replied, that Captain Fletcher, the officer commanding the troops, had assured me he could spare 150 rank and file, besides officers (it will ultimately appear, however, that 170 rank and file were embarked, which made the force near 200 men). The commander of the "Teazer," Lieutenant Nicolas, had also informed me that 100 rank and file would be quite sufficient to perform the duty he was employed upon. I then asked him particularly whether he had a sufficient quantity of rockets and ammunition on board, and he replied he had an abundance. The troops were

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embarked the same evening, the 21st; and they arrived off Malagea on the morning of the 22d, about 10 o'clock.

8. I had furnished Lieutenant Commander Nicolas, Captain Fletcher, the commander of the troops, and Mr. Dillet, with instructions that if hostilities were obliged to be taken and the chiefs should subsequently offer to pay the amount demanded from them, in what way they were to act. A copy of this letter is also enclosed.

9. On the morning of the 24th May the "Teazer" returned to this harbour from Malagea, bringing intelligence of the result of the expedition, which ended very disastrously, inasmuch as there was a very great loss of life considering the numbers engaged, and the nature of the service in which the "Teazer" was employed.

10. In the arrangement of this expedition, from the fact of the commander of the "Teazer" having previously visited Malagea, and from the assurance of her being properly equipped for the particular service in which she was engaged, viz., the destruction of the king's town, I never anticipated the necessity of the landing of the troops for that purpose; they were in fact sent merely as a show of force, as they ever have been. I had previously been informed by Commodore Adams that with one gun, a gun used in the bow of his paddle-box boat, he had destroyed a town on the leeward coast, almost equal in size to Freetown, without having occasion to land a man, and I have also been informed that if the "Teazer" had been supplied with congreve rockets a very different result would have ensued. It was from the want of these destructive missiles that the troops were landed, and were compelled to fire the town by signal rockets on the first day, and on the second by the use of lucifer matches, in which they succeeded in destroying some of the houses which had been left standing the previous day. The advance party in proceeding to fire another portion of the town still standing, some distance from the landing place, were surprised among the ruins by an overwhelming force.

2 officers missing.
11 men wounded.
72 men killed, drowned, and missing.

11. In the report of Lieut.-Commander Nicolas, Captain Fletcher, and Mr. Dillet, forwarded to me on the 24th May, their proceedings are fully detailed. Your Lordship will find by it that the casualties were great, as will appear per margin. The advance party suffered severely in retiring, for out of a party of thirty-five upwards of twenty were killed, and the unfortunate accident to the pinnace in conveying a number of troops off to the vessel having been perforated by balls she filled on her way and capsized. But as this boat has been subsequently found and given up by the natives, it has been ascertained that there was only one bullet hole in her, and that was near the gunwale of the boat, and too high up to have caused her to have filled. She must evidently have been capsized from too many men rushing on one side, whereby about thirty of them were drowned. This accident, and the sudden attack upon the advance party by the natives, caused the serious loss of life referred to. The reports of Lieut.-Commander Nicolas to Commodore Adams, and of Captain Fletcher, as commanding the troops, to myself, are confirmatory of the report of the commissioners before alluded to, and I have the honour of forwarding copies of the same.

1 naval officer killed.
2 seamen missing.
3 seamen wounded.
1 officer wounded.

3.

12. Upon the arrival of the "Teazer" here I convened a council, the commodore having in the meantime offered to place the "Teazer" at my disposal for the purpose of proceeding to the Mellicourie on a mission of protection and defence to the persons and property of British subjects in that river, and it was unanimously agreed that a tender of thanks should be made by me to the commodore for the offer he had so kindly made, and that the same should be accepted, as the "Teazer" would be of the greatest service, not only to the mercantile interests of British subjects, but would afford protection to their persons, and that a commissioner should be appointed to receive proposals for peace that the chiefs of Malagea might wish to make, and to transmit them to me. A copy of my letter to Commodore Adams upon this subject is also enclosed.

13. I immediately appointed Mr. Mallard (the harbour master, who is an officer in the navy,) to perform this duty, and instructed him to proceed in the "Teazer;" also to hold himself in readiness while on board that vessel to receive any proposals that the chief of Malagea might think fit to make, with a view to the re-establishment of that friendly relationship between himself and the government of this colony which subsisted previous to the recent outbreak

of hostilities; and directed him to avoid any overtures to this chief, and to be careful, lest, by an act of his, the chief should be led in the slightest way to imagine that he was seeking to conciliate him; a course which, while it might give him an idea of weakness on our part, would also tend to lower the dignity of this government. That he was, however, to receive any proposals for peace that the chief might wish to make; and should anything appear to him glaringly at variance with what this government ought to accept, he would be good enough to point it out to the chief; but whatever the proposals for peace might be after he had obtained a modification of them, he was not to consider himself at liberty finally to accept them, but that he was to receive any such proposals, and forward them to me for consideration and approval. I directed him also to make particular inquiries respecting the fate of Mr. Firth, a missing commissariat officer. I have the honour, my Lord, to enclose a copy of these instructions.

14. Mr. Mallard's reports to me of the 1st, 4th, and 7th June, transmit in detail his proceedings up to those dates, the substance of which is as follows:—In his first report he states that, upon his arrival at Bintey, at the mouth of the Mellicourie river, he acquainted the British as well as the French traders with the reasons of his visit, and from information received, he ascertained that at the town of Mellicourie the body of one white man, supposed to be Lieutenant Wylie, one of the missing officers, and reported to be uninjured as also the bodies of twenty-six black soldiers were picked up. (These must have been the bodies of the persons who were capsized in the boat and drowned.) He states that the general impression was, that very few men were shot in the action. That the river was immediately opened for trade, and that the king wished for peace, as there was almost a famine in the country, and the planting season had commenced, and he had discovered his slaves were in league to run away and get to a man-of-war.

In the second report he states, that on the 2d instant, upon the especial request of King Bamba Mina Lahai, he proceeded to the town of Mallagea, where he found all the head men assembled. He commenced by telling them there were three points they must first agree to before he could enter upon the question of peace:—

First, that all the rivers must be opened to English and French traders to come and go with their produce just as they pleased, and that neither themselves nor their trade must be interfered with:

Secondly, that as upon inquiry he had found that about 376 dollars of the 1,030 had been sent to Binty, although the greater part of the goods this amount was sent in had been lost, but yet that he was so satisfied he would give the king credit for that amount, although he must have the 654 dollars that remained:

Thirdly, that all arms and accoutrements the king could in any way procure lately belonging to the English were to be given up.

The king in reply readily agreed to the first and third demand, but stated in extenuation of his not agreeing to the second, that he sent a part of the payment to Mr. Davison, but Mr. Davison had refused to receive it, as he had no authority from the government for doing so; that it was then taken back to Mallagea, to await the steamer's return to the river, but that Mr. Dillet had afterwards refused to have anything to do with the goods, as it was then too late; and the king ended by stating that he could not pay the money a second time, he having fairly put it before them once; that the canoe which had the goods was taken; that the other things were burned and the cattle killed by shot. One of the horses Mr. Mallard states he saw.

This interview ended by Mr. Mallard giving the king a few days longer for consideration.

In the third report he states that eight muskets and some accoutrements were delivered up by the king, with a promise from him that all he could collect would be given up, and as to the payment of the residue of the money they repeated what they had said at the last meeting. Upon which Mr. Mallard told them he would refer the matter to me, when the king said he would write a letter upon the same subject. This report concludes by stating that there was only one opinion in the river, and that was, if the steamer had waited a few hours

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the whole of the money would have been paid. These three reports I have also the honour to enclose.

15. Upon the arrival of Mr. Mallard in this port, these three reports, together with a letter from the King of Malagea, and Fodie Wise, the alimamee of the country, copy of which in enclosed, were laid by me before the council, when they agreed with me in opinion that Mr. Mallard should at once return to Malagea and give effect to the following instructions :—

First, the Government having considered the letter from King Bamba Mina Lahai, and other Mooriah chiefs, will make no further demand for the payment of the balance due on the undertaking for 1,030 dollars :

Secondly, that Bamba Mina Lahai be required to release all prisoners now in his country :

Thirdly, that he be also required to deliver every article of arms and accoutrements that may be in his possession belonging to the Queen's troops :

Fourthly, that he be required to open immediately the rivers and roads for the free and undisturbed trade of British and French merchants.

That, upon Bamba Mina Lahai acceding to the foregoing instructions, Mr. Mallard was to furnish him with the duplicate of these instructions, and to require from him an explicit assent to them, duly written and signed by himself and the principal chiefs at Malagea, which signature he was to witness.

This done, Bamba Mina Lahai was to be assured, by the possession of the duplicate of this letter of instructions, that the Colonial Government returns to the amicable relations which subsisted between it and the chiefs of the Mooria country, and which Mr. Mallard was authorized to assure them of. A copy of of these instructions I have also the honour to enclose.

16. The council were induced to come to this conclusion with respect to the balance of the payment, from the king's subsequent good conduct. The whole of the French and English traders have declared that he had used his utmost influence in keeping his people quiet, and affording protection to the whole of the merchants. He had also exerted himself in finding the prisoners, twelve of whom had been given up to this government, and one more is hourly expected from the chief of Wonkafong.

17. In the reports sent to me by Mr. Mallard, before alluded to, Mr. Dillet's name is mentioned in a way to imply misconduct on his part, and an attempt has been made by the chiefs to show that he had refused to receive payment of the demand made upon them when offered to him, and at the same time insinuating that if the steamer had remained a few hours longer the whole amount would have been paid by them. This latter assertion is, however, completely at variance with the former, because, if the amount had been forthcoming when offered to Mr. Dillet, there could have been no occasion for the detention of the steamer. I am led to believe, my Lord, that these statements have been made by the chiefs to cloak their own delinquencies ; they are completely opposed to the reports made to me by the commissioners, and those of Captain Fletcher and Lieutenant Commander Nicolas, upon their return from Mellicourie ; but as Mr. Dillet had applied to me in terms of complaint—a copy of this letter is enclosed—I thought it better to refer the matter to the council, and they agreed with me in opinion that it would be better to have an inquiry instituted so soon as Mr. Mallard returned from the Mellicourie, which I expect will be in a few days.

18. Although I have not heard officially from Mr. Mallard, I have every reason to believe that the King of Malagea will agree to the terms offered, because the trade of the place is continued as usual, and there are no stoppages in the river or roads from thence.

19. It appears to me that the conduct of the king, in remaining quiet, has been more from fear of after consequences than for regard to the lives and property of the traders.

20. The casualties to date as follow :—

32 killed and missing ; 30 drowned ;—1st and 3d West India Regiments.

Twelve privates which were at first missing have been delivered up by the King of Malagea ; a few others are expected ; and the wounded men are all doing well.

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20th June 1855.

21. Her Majesty's steamer "Pluto," having put in here on her way to England, I am obliged to close this Despatch, but will, by the mail, which is daily expected, give your Lordship further particulars of this unfortunate affair.

I have, &c.
(Signed) R. DOUGAN,
Acting Governor.

Her Majesty's Principal Secretary of State
for the Colonies.

23d.—Mr. Mallard has not yet arrived.

SIR, Government House, Sierra Leone, May 21, 1855.

PACIFIC measures having failed to induce King Bambah Minah Lahi and the Mooriah chiefs to pay the amount due by them, stipulated to be paid in March last, for the losses sustained by the merchants and traders in the Mellicourie river, it is now necessary that coercive measures should be taken against them, and I shall be prepared to embark 150 men and officers on board Her Majesty's ship "Teazer," for the purpose of returning to Malagea and chastising these chiefs, and if possible to bring the king himself down here. The only way of punishing these chiefs is to destroy their town. The troops will be prepared to embark at six o'clock this afternoon.

I have, &c.
(Signed) R. DOUGAN,
Acting Governor.

Commodore Adams, Commander-in-Chief,
&c. &c.

SIRS, Government House, Sierra Leone, May 21, 1855.

IN the event of hostilities being taken against the Mooriah chiefs, and they are then prepared to pay the amount which has been demanded from them, a sum of 200 dollars should be imposed upon them beyond that sum for the insult offered to this government.

It will in such case be necessary to enter into new treaties with them, the form of the one enclosed will do as a guide, and you are hereby authorized and empowered as commissioners from this government to enter into the same.

I have, &c.
(Signed) R. DOUGAN,
Acting Governor.

Commander Nicolas, R.N.
Captain Fletcher, 1st W.I. Regt.
J. E. Dillet, Esq.

SIR, Her Majesty's Ship "Teazer," May 23, 1855.

WE have the honour to report for your Excellency's information the result of our mission and proceedings in the Mellacourie River, where we arrived on the morning of yesterday, a night after leaving Freetown.

We proceeded to Malagea and fired a rocket and shell over the town, when a flag of truce was immediately displayed from the king's flag staff.

We landed under an escourt of the troops, when several persons came to meet us at the water side; we then learned that Bamba Mina Lahi had left the town immediately on hoisting the flag.

We then sent messengers to the king to say that we were prepared to treat with him, and would give him half an hour to meet us at the wharf; other messengers were sent to the king when the time had elapsed, stating we were still prepared to receive him. Mahomodoo Touray, the chief's prime minister, came down, and told us when questioned that he could not say whether the king would come down, and declined to give us any information respecting where he was. We told him that we would treat with the king alone, and if another half-hour elapsed without his coming we should fire the town. Mahmodoo Touray was detained a prisoner of war.

And the time having elapsed, the ship opened fire on the town, and we set fire to the mosque, when the flames extended to the surrounding houses; the troops were then embarked, and the tide not permitting the vessel to remain safely, we determined to

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proceed to Binty, at the mouth of the river, and return this morning to ascertain whether the place had been effectually destroyed.

This morning we steamed up the river, and finding the town partly standing, we immediately opened fire upon it to cover the landing of a party to burn the remaining portion.

We have to inform your Excellency that we partially succeeded, the houses on the left having been set on fire before our final departure. There was no one to be seen near the town, but fire was immediately opened upon the advancing party by a numerous and formidable force; two of the commissioners were wounded by the first fire, Commander Nicolas very severely through the legs, and Mr. Dillet, the private secretary, slightly in in the head and leg.

A number of the advancing party in retiring were killed, the troops were ordered to be embarked under cover of the ship's guns, but unfortunately the pinnace, carrying a number of the troops, having been perforated by balls, filled on her way to the ship, and capsized. A six-pounder belonging to the king, taken from the enemy, went down with the boat.

When the pinnace capsized a flag of truce was hoisted from the ship, her firing ceased, but the men were cruelly and barbarously shot at.

2 officers missing.
11 men wounded.
72 missing and killed.

Your Excellency will regret to learn that the casualties have been great, as will appear from the margin hereof.

A canoe-load of goods belonging to the king was seized by us on the wharf, and is now awaiting your decision.

The enclosed copy will show your Excellency the final steps adopted to rescue the prisoners and the residue of our wounded.

We have, &c.

(Signed) B. G. Wyndham Nicolas,
Lieut.-Commander, H.M.S. "Teazer."
R. D. Fletcher,
Captain 1st W. I. Regt.
J. E. Dillett,
Private Secretary.

His Excellency Acting Governor Dougan,
&c. &c. &c,

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1 naval officer killed.
2 seamen missing.
3 wounded.
1 officer wounded.

Sir,

In obedience to the orders which I received from you on the 21st instant, I embarked 150 rank and file of the 1st and 3d West India Regiment, under the command of Capt. R. D. Fletcher, 1st West India Regiment, and at 8 P.M. proceeded in Her Majesty's steam vessel under my command to the Mellicourie river.

Early on the morning of the 22d I arrived off the mouth of the river, but there being an ebb-tide and the pilot consequently declining to take the ship further up, I was compelled to anchor for a few hours. I proceeded up the river at 5 A.M., but on approaching the town of Malagea, I found it was totally impossible to carry out your instructions (viz., the destruction of the town), without taking my vessel abreast of it. I therefore consulted with Captain Fletcher and Mr. Dillet, who with myself had been appointed commissioners by his Excellency the Acting Governor, wishing to avail myself of their superior knowledge of the place, and, having it, was determined to anchor the "Teazer" immediately abreast of Malagea. I commenced operations at 9 A.M. by firing a shell and a rocket over the residence of the king, upon which a flag of truce was hoisted, and immediately answered by us.

The other commissioner and myself then landed with a suitable guard to hear what terms the king had to propose, but no person appearing we proceeded to the king's house, which we found deserted.

In a short time the king's prime minister made his appearance, and promised that the king should be forthcoming in a few minutes. After repeated messages and most unsatisfactory replies, and an hour and a half having elapsed, we deemed it necessary to commence the destruction of the town at once, at the same time detaining the prime minister. I then repaired on board my ship, and opened fire upon the place. The troops having been disembarked they advanced under cover of our guns, and proceeded to burn the houses, a rocket party from the "Teazer" being sent to their aid. At noon, the greater portion of the town being in flames, it became necessary on account of the extreme heat to recal the troops. On their preparing to embark a very brisk fire was opened upon them from both sides of the landing-place, and promptly replied to by the ship and troops, who were re-embarked, with the slight casualty of five wounded.

On weighing to proceed down the river, the wind having changed, it was discovered that a large portion of the west end of the town had escaped destruction, and considering that the service was not entirely carried out according to our instructions, we, the commissioners, decided upon anchoring at Bintee Point for the night, and to return the next morning and reduce the whole to ruins.

Accordingly, as soon as the tide would allow, we weighed on the morning of the 23d' and anchoring before Malaga at 10.30, commenced shelling it, occasionally throwing grape and canister into the bushes.

After the lapse of half an hour, seeing no enemy whatever, we decided upon re-landing under cover of the ships' guns, which was effected without casualty in about a quarter of an hour.

I then landed, and proceeded with Mr. Dillet to the front for the purpose of pointing out to the advance guard the houses we wished to be set on fire. On approaching the crest of a hill a most deadly fire was opened upon us by some 200 or 300 men.

Those immediately in advance (about five in number) were killed on the spot, the sergeant major being one of them, and Mr. Dillet and myself were both wounded. The moment this fire opened I considered it necessary to send for the rest of the troops.

I accordingly despatched Mr. Andrews, the assistant paymaster of the "Teazer," (who had volunteered his services to accompany me on shore,) with a request to Captain Fletcher to advance to my assistance. I lament to say that he was scarcely out of my sight before he fell wounded through the head and heart. Captain Fletcher had, however, without waiting for a request from me, already moved on with the main body to my succour. During the whole of this time a steady and well-directed fire was kept up from the ship.

On my return on board I weighed, and by the aid of steam maintained the ship in her position until the last of the boats which were employed in embarking the forces had left the shore. Much to my mortification it was reported to me (while my wounds were being dressed) that she had swamped with some 40 soldiers in her. It appears that she was completely riddled with bullets, which was the immediate cause of her sinking. A flag of truce was instantly hoisted in the hope that the enemy might be induced to do the same and spare the men who were struggling in the water. Unhappily, however, they continued their fire; so, after waiting a few minutes, I directed the flag to be hauled down and the guns to be again brought to bear against them.

Finding from the king's minister that the wounded and prisoners would be respected if I withdrew my ship, I proceeded slowly down the river for about three miles (under a galling fire from the banks), when the enemy's fire ceased, and I then proceeded at full speed to Binty Point for the purpose of despatching the prime minister for the wounded and prisoners.

I have omitted to state, that on the 22d we made prisoners of six of the enemy, two of whom were relatives of the king, whom, with the concordance of the commissioners, I offered to lease (together with the minister) for the prisoners and wounded on our side. The minister promised that they should be at Binty Point at eight o'clock this morning.

As the ship was crowded with troops, and her decks filled with wounded (many of which were serious cases), I deemed it my duty to proceed without loss of time to join you at Sierra Leone, considering my further detention unnecessary, as the town was most effectually and completely destroyed. Mr. Davison having offered every assistance in looking after the prisoners and wounded on their arrival at Binty, and I have left my assistant surgeon to make every preparation for their reception. The prisoners taken on the 22d still remain on board.

In the prosecution of this service I have received the most cordial co-operation and assistance from Captain Fletcher, in command of the troops, who was always most happy to attend to any of my wishes, and whose suggestions and advice were of the greatest use to me.

To Mr. Dillet my sincere thanks are also due, acting as he did invariably with the greatest promptitude and zeal.

It affords me much pleasure to bear testimony to the gallantry displayed by both officers and men of the 1st and 3d West India Regiments, who under a most galling fire evinced remarkable steadiness and courage; but without detracting in the least from any of the rest, I deem it due to Mr. M. Vincent, Lieutenant 2d West India Regiment, to notice his great coolness and intrepidity on this occasion.

I am also under obligation to Staff Assistant Surgeon Bradshaw for his unremitting care and attention to the wounded of the "Teazer" after the departure of my assistant surgeon.

It is with the greatest pain that I have to report to you that the wounds received by Mr. S. G. D. Andrews, Assistant Paymaster, resulted in his death. In him the service has lost a most zealous and faithful servant, whilst I am deprived of a most valuable officer.

When all distinguished themselves equally, it would be difficult to particularize individual acts of gallantry, but I must, in justice to that officer, bring before your notice the praiseworthy and noble efforts of Mr. Henry Searle, acting boatswain 3 C., who defended the ship and fought her guns during my absence.

Neither can I omit to state the admirable conduct of the whole of my ship's company, many of whom (though only convalescent and still on the sick list) persisted in working and remaining at their guns.

I enclose a return of the "Teazer's" wounded and missing who were employed upon this occasion, the former of whom, I am happy to say, are doing well, the latter, I fear were drowned when the cutter was swamped.

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The loss on the part of the enemy is reported to be enormous, and which I have every reason to believe, as the grape and canister made frightful lanes in their ranks; their shrieks were most dreadful to hear.

It is with the deepest regret that I have to state that this service has been attended with so great a loss, as of the whole force employed (about 200) nearly one half have been killed, wounded, or made prisoners. However, as the object of the expedition has been fully attained, I sincerely hope that my proceedings will meet with your approbation.

I have, &c.

(Signed) Lieut. NICHOLAS,
H.M.S. "Teazer."

Commodore Adams.

Her Majesty's Steam Vessel "Teazer," off Benty,
1st June 1855, 4.30 P.M.

SIR,

THE schooner "Bella" being about to leave for Sierra Leone, I take the opportunity of reporting to your Excellency my proceedings to this date.

Her Majesty's steam-vessel "Teazer" anchored off this place at A.M. of the 30th ult., when my first proceeding was to write a letter, copy marked No. 1, to the British traders, informing them the reason of my visit. On the receipt of a letter from Mr. Davison, resident at this place, requesting to know if protection was to be afforded to French traders, I answered as per copy marked No. 2. Shortly after anchoring, two soldiers, Robert Hughes, of the 3rd West India Regiment, and Alexander M'Kenzie, of the 1st West India Regiment, were sent off by Mr. Davison, having been taken close to a slave town called Fanjè, and sent to Benty by Mimah Lahi. The Soosoo messenger sent by your Excellency to Foodie Wise, I sent on the same forenoon. I then employed my time making inquiries regarding the fate of Mr. Firth, and the other unfortunate victims of the late expedition.

From all I have been able to gather, not the slightest doubt is entertained of Mr. Firth's having been murdered by those who took him prisoner. The report common here is, that he was dragged out of the water by the hair of his head. The way in which he was killed is not known, although he was subsequently decapitated and scalped, his hair being used for "gree-gree" or "medicine;" of his other remains I can gain no intelligence. There is a report that the arm of a white man was sent to the town of Dareh, but this I have reason to think without foundation. That soldiers have been sacrificed at the various towns is fully authenticated. A Mr. George, connected with Mr. Davison, and living in Fouracaria Town, told me that on the evening of the 24th, about 6 o'clock, he saw a soldier murdered (who had for some time previously been exposed in the market place), which was done by chopping him across the back of the neck, across the eyes, and a cut into his side, the body being left in the "grass field" to rot. Mr. George also stated that on the 28th he met a soldier being led to Wankafong, that he attempted to converse with the man, but found he had lost his senses; this man, he says, was of the "Houssa Nation." More soldiers are doubtlessly in the bush, and I heard yesterday that one had been taken at some small slave town, and that Mimah Lahi had sent for him for the purpose of delivering him up. Sergeant Major Scanling, who is described by the natives as having fell fighting nobly, was decapitated and had an arm cut off, but on the steamer arriving in the river the first time with provisions for exchange, they were buried with his body under the large cotton tree at the Malageah landing place. The body of a white man, supposed to be Lieut. Wylie (and reported as uninjured), as also the bodies of twenty-six black soldiers, were picked up at Mellicourie Town, twelve miles from Malageah, and there buried by Mr. Lyon's people. A Mulatto soldier is reported to have cut his throat when he found himself on the point of being captured. The general impression is that very few men were shot in the action, but that the greater number were either drowned or butchered. I must refer your Excellency to a French subject, Jean Bedbader by name, who is now, I believe, at Sierra Leone, as he was present at Malageah during the whole affair.

I sent a note, copy marked No. 3, to Mr. Seymour, who is at present private secretary to Mimah Lahi and Foudie Wise. As yet I have received no answer.

The Soosoo messenger returned on the afternoon of the 31st, (and was accompanied by another man sent by Mimah Lahi), bringing a note, copy marked No. 4, to which I returned an answer, copy marked No. 5.

I was greatly astonished to find Mimah Lahi had so suddenly resolved on opening the river, and feel certain there is some deep reason for his doing so. It was also reported that the traders of Mellicourie were quite at liberty to come down, but as yet nothing has been seen of them, although it is supposed they would gladly have availed themselves of their release.

Many good reasons may be offered for Mimah Lahi's wish for peace, as the war party are all loud in asserting their victory; therefore they have beaten white men and are satisfied; that there is almost a famine in the country; that it is the planting season; that Mimah Lahi and Foudie Wise find it very inconvenient to keep and feed such a large force

as they have assembled at Melli, Courie, and Malageah; and lastly, that having discovered that their slaves are in league to run away and get to any man of war when one shows herself in the river, they are anxious for the "Teazer's" departure.

That Foudie Wise is the Kandè of the country there is no doubt, as there is also not the shadow of a doubt that Mimah Lahi is the military governor of the country; they are sworn friends, and the people at Mellicourie Town, over whom Foudie Wise exercises immediate control, were by him sent down to the assistance of Mimah Lahi. The bad effect of communicating direct to Foudie Wise showed itself in a remark your Excellency's messenger made to the man sent down by Mimah Lahi. While I was "palavering" to them, the Soosoo messenger coolly turned and said to the other, "Never mind he, governor self sent me, Foudie Wise; go give me answer straight for governor."

I shall consider it my duty to remain here a few days longer, in the hope that I may yet be able to come to some terms that may pave the way to an eventual peace, without lowering the dignity of your Excellency's government, or allowing Mimah Lahi to think any attempt is being mode to conciliate either him or his party.

I have, &c.

His Excellency the Governor, (Signed) J. MALLARD.
&c. &c. &c.

P.S., 7 P.M.

I have just received a note, copy marked No. 6, from the traders at Mellicourie, dated from Malageah. I sent an answer, copy marked No. 7.

Your Excellency will, I think, see that Mimah Lahi is anxious for peace, and should I receive a proper letter from him to-morrow, which I feel tolerably certain of doing, I shall lose no time in proceeding to Malageah.

(No. 1.)

Her Majesty's Steam Vessel "Teazer," off Binty,
SIRS, May 30, 1855.

I HAVE the honour to inform you that Her Majesty's steam vessel "Teazer" has been sent by the Government of Sierra Leone to this river for the purpose of protecting the property and persons of British traders, and that I am deputed as a commissioner to receive any proposal the chief of Malageah may be inclined to make with a view to the re-establishment of the friendly relations that existed between the said chief and the government prior to the recent outbreak of hostilities.

I have, &c.
(Signed) J. MALLARD,
Government Commissioner.

D. H. Davison, Esq.
and the
British Traders in the River Mellicourie.

(No. 2.)

Her Majesty's Steam Vessel "Teazer," off Binty,
SIR, May 30, 1855.

IN answer to your letter of this date requesting to know if my powers of protection extend to French subjects, I have the honour to inform you that both Lieutenant and Commander Grubbe and myself are quite prepared to extend the same protection to French as to English subjects.

Lieutenant Grubbe has received directions from his commander-in-chief to inquire into the truth of a report, that a French subject is held in chains by the king of Malageah.

I have, &c.
(Signed) J. MALLARD,
Government Commissioner.

D. H. Davison, Esq.

(No. 3.)

Her Majesty's Steam Vessel "Teazer," off Binty,
SIR, May 31, 1855.

IF you could make it convenient to come down to Benty, I should be too glad to receive any information you may be inclined to give me relative to the late unfortunate occurrences in this river; I am particularly anxious respecting Mr. Frith's fate, as also what may have become of the remains of Lieutenant Wylie and the Serjeant Major.

Should it not be convenient for you to come down, perhaps you will kindly write, as any information regarding these affairs will be most acceptable.

I have, &c.
(Signed) J. MALLARD,
Government Commissioner.

H. Seymour, Esq., Singundi.

SIERRA LEONE.

(No. 4.)

DEAR SIR, May 31, 1855.

KING Todie West and Mima Lahi send their compliments, and as Amarah has informed the king that it is your wish to come up to Malageah, he has begged of me to write you that the river is open to yourself and any other person; they have also sent Semila with Amarah to accompany you up to-morrow morning.

I am, &c.

J. Millard, Esq. (Signed) H. L. SEYMOUR.

(No. 5.)

Her Majesty's Steam Vessel "Teazer,"

SIR, Off Binty, June 1, 1855.

I HAVE to acknowledge the receipt of your note of yesterday's date, conveying to me King Foudie Wise and Mima Lahi's compliments, and informing me that Amarah, the messenger, had told them I wished to visit Malageah, as also that the river was open to myself or any other person.

I beg in reply to assure you I expressed no wish to visit Malageah, and under present circumstances have no intention of doing so. My visit to this river is in the capacity of a commissioner from the Sierra Leone Government, for the purpose of affording protection to the persons and property of British and French subjects; and I am also authorized to receive for transmission to the Government of Sierra Leone any overtures of submission Bemba Mima Lahi may have to make to that Government.

I have, &c.

(Signed) J. MALLARD,

H. Seymour, Esq., Government Commissioner.
Singundi.

(No. 6.)

Malageah, June 1, 1855.

WE, the undersigned, have been to Malageah to-day, hoping to have an interview with you and the chiefs of this place, who are quite prepared to come to terms of peace.

As you did not come to-day, we will be at Malageah to-morrow morning to meet you, when we hope to have the pleasure of seeing matters settled amicably.

Yours, &c.

(Signed) W. SHAW,
A. VALENTINE,
E. READER,

J. Mallard, Esq. W. ROSENBUSH.

(No. 7.)

Her Majesty's Steam Vessel "Teazer," off Binty,

GENTLEMEN, June 1, 1855.

MY instructions will not allow me to comply with your wishes, should Mimah Lahi wish to see me it is for him to say so by letter.

I have, &c.

(Signed) J. MALLARD,

To Messrs. Reader, Valentine, Shaw, and Rosenbush. Government Commissioner.

COPY of a LETTER from Captain FLETCHER, 1st West India Regiment, to Acting Governor DOUGAN.

SIR, Sierra Leone, May 26, 1855.

IN pursuance of an order received from your Excellency, dated the 21st instant, I embarked on board Her Majesty's steam ship "Teazer," in command of (150) one hundred and fifty men of all regiments, and the under-mentioned officers:—

1st West India Regiment.

Lieutenant Strachan.
„ Wylie.

2d West India Regiment.

Lieutenant Vincent, attached to 1st West India Regiment.

3d West India Regiment.

Lieutenant Kerr.
„ Beazley, Garrison Adjutant.

Medical Staff.

2d Class Staff Surgeon Marchant.
Staff Assistant Surgeon Bradshaw.

Commissariat Staff.

Acting Deputy Assistant Commissary General Firth.

Her Majesty's steam ship "Teazer" arrived at Binty Point, at the mouth of the Mellicourie river on the morning of the 22d instant. We were unable to cross the bar. The tide not suiting caused a few hours delay.

We arrived at the town of Malagea at nine o'clock the same morning.

The troops disembarked under cover of the guns of the "Teazer," and formed upon the bank. The commander of the "Teazer" and Mr. Dillet soon after joined on shore. At the time of our landing a flag of truce was flying at the king's house and on board the "Teazer." I consented, with the advice of the two other commissioners, Commander Nicolas, of Her Majesty's ship "Teazer," and Mr. Dillet above-mentioned, to allow one hour to elapse before we opened fire upon the town. After a lapse of more than an hour and a half Commander Nicolas returned on board and opened with shell and grape to cover the troops, who immediately commenced to advance with skirmishers thrown out on either flank of the main division.

We proceeded to the centre of the town, and after setting fire to the mosque, the king's house, and several of the principal buildings, with the aid of a small rocket party from the "Teazer," it appeared as if the whole town was in a blaze; we then were obliged to retire to the boats, on account of the extreme heat of the burning houses and the probability of the troops suffering therefrom.

Whilst we were embarking, a very sharp fire was opened upon us from both sides of the landing place by the enemy in ambush, but I am happy to state that only five of our men were wounded.

After the troops had all got on board, the whole of the town being apparently in flames, it was discovered that one portion of it had not been burnt; upon that we consulted together, and determined to proceed to Binty Point that evening, and on the following morning to return and effectually to reduce the whole of the place to ashes, according to the instructions received to that effect, being fully convinced of the importance of that object.

At half-past five o'clock A.M. on the 23d, we started from Binty and anchored off the town of Malagea, which was still in flames. The "Teazer" then commenced shelling, throwing grape occasionally into the bushes. After the lapse of half an hour the troops disembarked, no enemy appearing in sight to resist our landing. The men formed and advanced upon the town for the purpose of setting fire to the parts still standing.

Commander Nicolas and Mr. Dillet went on with the advance for the purpose of pointing out the houses to be destroyed.

The main division then prepared to cover the advance. At this moment I observed them driven back, having been suddenly attacked by an overwhelming number of well-armed natives.

Mr. Dillet, captain of the Sierra Leone Militia and private secretary to your Excellency, fell to the rear at this time, and I observed him wounded in the head and left leg.

Commander Nicolas, I regret, was at the same time shot through both thighs, and Serjeant Major Scanlan, 3d West India Regiment, was killed on the spot. The former I directed to be taken on board, and sent Staff Assistant Surgeon Bradshaw with him. I then ordered a part of the main division forward, and accompanied them, leaving Lieutenant Kerr, 3d West India Regiment, with instructions to prevent our rear from being cut off. He was obliged to sound one division to retire as the enemy had almost surrounded us and cut us off. The men were falling fast, and the enemy pressed upon us in all directions, and one of the seamen of the "Teazer" was struck in the stomach by a war-club, after having been wounded in the arm (named John Hill).

Myself, Lieutenant Wylie, of the 1st West India Regiment (whom I regret to add is killed), Lieutenant Vincent, of the 2d West India Regiment, and about eighteen or twenty men were driven back upon a small island of mud and sand upon the left side of the entrance to the town of Malagea; a great number of the men were here shot, and Lieutenant Vincent, of the 2d West India Regiment, was immediately shot through the body; he showed his wound to me, and jumped into the water to swim to a boat.

After the troops had embarked, the largest boat, containing some forty men, suddenly filled and capsized, having, as I afterwards learnt, being perforated by bullets. A flag of truce was then hoisted, which, I am grieved to say, was not respected by the enemy; and to this cause I attribute the immense loss of our men. Acting Deputy Assistant Commissary General Firth is reported to have been taken prisoner.

Of the officers composing the expeditionary force, I cannot speak too highly in their

SIERRA LEONE.

praise; but as I consider it would be presumptuous on my part to comment on the conduct of troops during an action in which one half of the men engaged were either killed, wounded, or missing, I will say no further on the subject, but that I received the greatest assistance from every officer who was present.

By Lieutenant Kerr, 3d West India Regiment, second in command; by Lieutenant Vincent, 2d West India Regiment; and my field adjutant, Lieutenant Beazley, 3d West India Regiment, I was afforded all the assistance I could have wished; but in an action where every officer vied with another in carrying out their duties to the fullest extent, it would be invidious on my part to speak more in praise of one than another, yet am I especially bound to add, that from Commander Nicholas, of Her Majesty's ship "Teazer," I received the greatest support when on shore, and several times gladly availed myself of his valuable advice.

I beg to submit to your favourable consideration the conduct of Mr. Dillet, who was wounded, as I above stated, in the early part of the action.

I cannot close my Despatch without making known to your Excellency how much I am indebted to Staff Assistant Surgeon Bradshaw, whose unremitting attention to the wounded, both on the field and on board ship, reflects on that gentleman the greatest credit, which I trust may result in a substantial reward.

The whole of the shell, grape, and canister having been expended, and the banks of the river lined with armed men, the troops having embarked (with the exception of those that sunk with the pinnace, who were wounded or taken prisoners), we proceeded slowly down the river, firing as we retired, after the refusal by the enemy to respect the flag of truce which was hoisted upon the sinking of the boat.

We took the prime minister, Mahmodoo Touray, prisoner, together with other valuable spoil and one gun; but, I must regret to add, the action was attended with serious loss on our side, which will be made known to your Excellency in the enclosed report.

After all had embarked, I escaped by swimming to the "Teazer," and as I was close upon her was picked up by a boat and taken on board.

I trust your Excellency will observe that we fully carried out our instructions, although attended with the loss above alluded to.

I have omitted to state that I received the greatest assistance from Corporal Robert Harrison, of the Royal Marines, who was lent to me from the "Teazer" as an orderly corporal, and behaved with great coolness and intrepidity throughout the whole affair.

I have, &c.

(Signed) R. D. FLETCHER,
Capt. 1st West India Regt.

His Excellency the Acting Governor of Sierra Leone,
&c. &c. &c.

COPY of a LETTER from J. MALLARD, Esq., to the Acting Governor DOUGAN.

Her Majesty's Ship "Teazer," off Binty,
SIR, June 4, 1855.

I HAVE the honour to transmit you a further report of my proceedings since my last letter, dated the 1st instant, off Binty.

On Saturday afternoon the 2nd instant, I received a letter from King Minah Lahi, copy marked No. 1, inviting me to go to Malageah, which I did on the Sunday morning. On my arrival I found Allimanee Wise, King Minah Lahi, and all the head men assembled at the "Salakana;" and, after the usual ceremonies, I commenced the palaver by telling Mimah Lahi that I had come to see him in consequence of his letter, wishing for peace, that I was prepared to hear anything he had to say, that I was sorry our present meeting was so different to our last, and that as he wanted peace, I hoped he would agree to the terms I should propose.

His reply was that he was very glad to see me, that he did not want to fight with white people, and that I must do my best for peace. I then told him there were three things he must do before I could begin to talk of peace.

The first was, that all the rivers must be opened to English and French traders to come and go with their produce just as they pleased, and that neither themselves or their trade must be interfered with.

Secondly, that, on inquiry, I found that about 376 dollars of the 1,030 had been sent to Binty, although the greater part of the goods, this amount was sent in, had been lost, but yet that I was so satisfied, I would give him credit for that amount, although I must have the 654 dollars that remained.

Thirdly, that all arms and accoutrements that he could in any way procure, lately belonging to the English, were to be given up.

With regard to the first demand, the king replied that he had not troubled the traders; he had told them to keep quiet, because there were too many strangers at Malageah and

Mellicourie, and that if they left, he could not be answerable for the safety of their property; that the rivers should all be opened, and that trade was to go on just the same.

With regard to the second demand, Mimah Lahi said he had collected goods to the amount of 1,030 dollars to send down to Binty; that he had sent a letter, enclosing a list (written for him by Mr. N. Lyons) to Mr. Davison, the same day the steamer left, with a canoe in charge of Tannah, one of the chiefs, containing about 340 dollars worth of goods; that he was going to send another canoe by the night's tide with 300 dollars worth more, and that the remainder was to be paid in 2 horses, 4 bullocks, 3 sheep, and 2 large canoes; that when the canoe with Fannah got to Benty, Mr. Davison said he had no orders to take the things, but that the canoe had better go back, and for him (the king) to keep all the things close to him to give the steamer when she arrived again; that he (Mr. Davison) would keep the letter and give it to the captain of the steamer, or Mr. Dillet, when they came. The canoe went back to Malageah, and the other canoe with the goods was not then sent, but the goods were put into the king's store all ready for the steamer, and the bullocks, &c. were tied up close to the wharf.

That when the steamer came, Mahommadoo Tourè was sent to show the goods to Mr. Dillet, but that Mr. Dillet said he knew nothing about them—it was too late now; that Mahommadoo Tourè was then taken prisoner, because he (the king) did not go to the water side; and then (here the king got rather excited, and your Excellency's letter to Foudie Wise, sending the medal and chain, was put into my hands) they burned his town; he could not pay the money a second time, he having put it fairly before them once; that the canoe that had the goods was taken; that the other things were burned, and the cattle killed by shot and burned (one of the horses I saw).

I replied, I was sorry he could not pay the money, but that I did not want to "force him too strong all at once," and would give him until Wednesday morning for consideration, and that I imagined Allimamee Wise would not have got the letter he did ad your Excellency been aware he assisted the Malageah people against us.

With respect to the third demand, King Mimah Lahi gave me his word that all the arms and accoutrements he could find should be given up, but that the country people had taken any they may have had away with them; those he could not get, but repeated he would give me every one he could find.

The tone of the king and chiefs was mild in the extreme, and their demeanour to myself particularly civil; the king said he had been told I had come in the steamer for the purpose of making peace, but when he found I had not, he wrote and asked me to come to him.

I think that about half the town is destroyed (perhaps rather more, 270 houses being reported), and although they have not suffered much from loss of life, twelve being all I could hear of as having been killed, yet they are suffering very much for want of food and shelter; few people are in the town, a great number having gone to the neighbouring slave villages.

I asked the traders, both French and English, if they had any demands to make; their reply was, no; but that they were very thankful to Mimah Lahi for protecting them as he had done.

There are two opinions with regard to that man, Amarah, sent as a messenger by your Excellency, having done harm, and I certainly think more might have been done, had his mission been delayed.

On Wednesday morning I go up again to Malageah, and I hope I shall be able on Thursday to leave the river and lay my proceedings personally before your Excellency.

I beg to enclose a copy of my letter marked No. 2, requesting Mr. Davison to give me the list of goods mentioned by Mimah Lahi, also a copy of his answer, marked No. 3. A copy of my letter to the French traders, marked No. 4, I also enclose.

I have, &c.
(Signed) J. Mallard.

To His Excellency the Governor.
&c. &c. &c.

(No. 1.)

My good Friend, Malageah, June 2, 1855.

I am anxious to see you here to-morrow morning, when all the chiefs and myself will be prepared to meet you, to arrange matters amicably.

Your good Friend,
(Original signed in Arabic,)
King Lahi.

J. Mallard, Esq.

SIERRA LEONE.

(No. 2.)

Her Majesty's Steam Vessel "Teazer," off Benty,
June 3, 1855.

SIR,

IT was stated to me by King Mimah Lahi, at a conference I held with him this day, that a list of articles in payment of a demand for 1,030 dollars, made on him by the government of Sierra Leone, was delivered to you.

May I beg you will kindly forward me the said list, should it be in your possession.

I am, &c.
(Signed) J. MALLARD,
Government Commissioner.

D. H. Davison, Esq.,
&c. &c.
Benty.

(No. 3.)

SIR, Benty, June 4, 1855.

IN reply to your communication of yesterday, I have the honour to inform you that Bemhah Mimah Lahi's letter to me containing the list of goods you mention was handed by me to the Government Commissioner, Mr. Dillet, on his return from Sierra Leone on board the "Teazer," when en route to Malageah.

I have, &c.
(Signed) D. H. DAVISON.

J. Mallard, Esq., R.N.,
H.M.S. "Teazer," off Benty.

(No. 1.)

Her Majesty's Steam Vessel "Teazer,"
Off Binty, June 3, 1855.

GENTLEMEN,

AT a conference I had this day with Allimamee Wise, King Mimah Lahi, and the chiefs of Malageah, my demand that the whole of the rivers under their respective jurisdictions should be immediately open to the French and English traders, and that no interruption should be offered to them, was acceded to, and I have now the honour to inform you of the same.

I am, &c.
(Signed) J. MALLARD,
Government Commissioner.

The French Traders in the Mellicourie.

H.M.S. "Teazer," off Sierra Leone,
June 7, 1855.

SIR,

I HAVE the honour to report my arrival in Her Majesty's steam vessel "Teazer," this day, from the river Mellicourie, and also to make your Excellency acquainted with my proceedings since the 4th instant.

On the evening of the 5th, Kallamoodie, Chief of Bullum, arrived at Benty, and told me he had come from you about the palaver going on in the river, and that he had left town on Friday.

On the morning of the 6th (yesterday) I went to Malageah, and had a second palaver with King Minah Lahi, Allimamee Wise, and the chiefs, Kallamoodie being present, as also Messrs. Davison, Reader, Shaw, Valentine, Seymour, and the two Rosenbushes. I commenced the palaver by asking for the arms, &c. promised me on Sunday, when Minah Lahi sent for them, and delivered up eight muskets, one serjeant's fusee, six pouches and belts, and two soldiers' coats, affirming most emphatically that these were all he could get; but that should he be able to get more, I should have them. I may here remark, that I heard Mr. Rosenbush had ten and Mr. Valentine four of the muskets lost by our people, but no offer has been made by these gentlemen to restore them.

I then commenced the question of the 654 dollars, and although there was great repetition of what took place on Sunday, I conceive it better to enter into the details.

The whole of the statements were to the effect that Mr. Dillet on his arrival the first day gave them an hour to pay in. That they told him they could not pay in that time; that he said he could not give them more. The steamer left. That same afternoon a canoe with 340 dollars' worth of goods, in charge of a chief called Fannah, was sent to Mr. Davison, at Binty, with a letter and a list of the articles to be given in payment for the 1,030 dollars; it being also told Mr. Davison that another canoe with 300 dollars' worth of goods was to be sent down in the night water (night tide), and that cattle to make up the amount were to follow. When the canoe got to Binty, Mr. Davison said, "This is

"not my palaver; I no get order to hold these things; take them back and keep them "close to you to give the man-of-war when she returns,"—Mr. Davison keeping the letter. On the arrival of Mr. Dillet the next morning, Mr. Davison handed him the list and letter, when Mr. Dillet said, "I am not supposed to know anything about this; it is too late now,"—at the same time taking the letter and list. On the arrival of the steamer at Malageah, Mahmodoo Touray and Sattan Lahi were on the wharf, having gone down to show Mr. Dillet the goods; that no notice was taken of the goods, but that Mr. Dillet, with whom was Lieutenant Nicolas, said he must see the king. Mahomodoo Touray said, "King no there, but there's the money for pay;" and also said, "We done send list to Davison; did he not give it you?" Mr. Dillet replied that "Mr. Davison no give him any list; I know nothing about goods." Mr. Dillet then took out a watch and held in his hand, saying, "I give you five minutes to fetch the king; if he does not come I will break the town." Sattan Lahi had in the meantime gone to the king. The commander of the steamer then said to Mahmodoo Touray (who had been previously seized as a prisoner), "Four minutes are left; can't you find the king?" Mahmodoo Touray replied, "I am a prisoner." The four minutes expired, and Mr. Dillet turned to the commander and said, "The time is up—let's be off;" and on their getting on board the steamer commenced firing on the town. Minah Lahi had given positive orders that none of his people should fire; but some strangers in the town did fire. One canoe was taken by the steamer, and the king's store was plundered, it being on fire while Mr. Dillet was ordering things out, which Mahmodoo Touray states he saw in possession of the men on board afterwards. That the commander stopped one man with his arms full of things; that the commander did not want to go back the second time, saying they had done enough; but that Mr. Dillet said the town was not half burnt; and the commander said, "Very well, we will go to-morrow morning." At the conclusion of this palaver the king turned to me, Sir, and said, "You done hear all this; suppose you the same as me—can you pay the money again?" I replied by saying I would refer the matter to your Excellency, and the king then said he and the Allimamee would write you a letter.

The before-mentioned are the circumstances of the case as they were stated before all the traders, and I have repeated them to your Excellency. I am also bound to say, that there is only one opinion in the river, and that is, if the steamer had waited a few hours the whole of the debt would have been paid.

As I shall have an opportunity of giving your Excellency any further information by word of mouth, and answering any queries you may have to ask, I will not enter into further particulars, but beg to remain,

Your Excellency's most obedient humble Servant,

His Excellency the Governor, (Signed) J. MALLARD.
&c. &c. &c.

MY GOOD FRIENDS, Mallegiah, June 7, 1855.

YOUR Commissioner, J. Mallard, Esq., having visited us at our request, asked us for the payment of the balance of £1,030, which was ready when the war commenced, but it having been destroyed by the people from the man-of-war we leave it to your Excellency and your Honourable Board to decide whether it is just that we should repay the amount.

We furnished your Commissioner with all necessary information on the matter. I shall do all in my power to bring this affair to an amicable end, but I must beg your Excellency and your Honourable Board also to yield a little in the matter, as we are great sufferers by our town being destroyed with all our property.

I remain, &c.

(Signed) ALLIMAMY WISE.

(Signed) MAHAMADOO TOORAY.

His Excellency R. Dougan, Acting Governor, and the
Honourable Members of Her Majesty's Council.

SIERRA LEONE.

Government House, Sierra Leone,
June 8, 1855.

Sir,

I have to acknowledge the receipt of your reports on the 4th and 7th instant, respecting your mission to Malagea.

Having laid the same before the Council, I am to acquaint you that, with the advice and consent of that honourable Board, I have determined upon requesting you to return to Malagea, and to give effect to the following instructions, viz.—

1. The Government having considered the letter from King Bambah Mina Lahi, and other Mooriah chiefs, will make no further demand for the payment of the balance due on the undertaking for 1,030 dollars.
2. That Bambah Mina Lahi be required to release all prisoners now in this country.
3. That he be also required to deliver every article of arms and accoutrements that may be in his possession belonging to the Queen's troops.
4. That he be required immediately to open the rivers and roads for the free and undisputed trade of British and French merchants.

Upon Bamba Mina Lahi acceding to the foregoing conditions, you will furnish him with the duplicate of the instructions, which is enclosed; and you will require from him an explicit assent to them, duly written and signed by himself and the principal chiefs at Malagea, which signatures you will be good enough to witness.

This done, he will be assured, by the possession of the duplicate of this letter, that the Colonial Government returns to the amicable relations which subsisted between it and the chiefs of the Mooriah country, and which you are hereby authorized to assure him of.

I have, &c.
(Signed) R. Dougan,
Acting Governor.

J. Mallard, Esquire, R.N.,
&c. &c.

No. 7.

Nominal Return of Officers, Non-commissioned, and Privates of the 1st, 2d, and 3d West India Regiments, killed, wounded, and missing, at Malageah, on the 22d and 23d of May 1855.

1st West India Regiment.

Killed.

Lieutenant	Wylie.
Serjeant	Henry Bailey.
Drummer	Francis Cassimear.
Private	James Adams.
,,	James Bull, 1st.
,,	William Butts.
,,	John Balfour.
,,	Tom Crib.
,,	Dick Danby.
,,	Charles Davis.
,,	T. M. Davis.
,,	Thomas Deacups.
,,	Charles Edmonstone.
,,	Robert Fishbourn.
,,	Michael Gernon.
,,	Charles Graves.
,,	Furs Green.
,,	William Kemp.
,,	William Lane.
,,	Lord Liverpool.
,,	Norman Macdonald.
Private	Fergus McIvor.
,,	Alexander McKenzie.
,,	Cookey Mayne.
,,	Hamilton O'Bins.
,,	Neville Peto.
,,	Sydney Powell.
,,	Henry Phipps.
,,	John Sancho.
,,	George Stapleton.
,,	Robert Taylor.
,,	Florence Torrence.
,,	Thomas Wilson.
,,	Charles Wise.
,,	William Wellesley.

Wounded.

Drummer	Hungerford Egar.
Private	William Hall.
,,	Henry Martin.

Missing.

Serjeant	Robert Simpson.

2d West India Regiment.

Wounded.

Lieutenant Vincent, dangerously.

3D WEST INDIA REGIMENT.

Killed.

C. S. Major	John Scanlon.
Serjeant	Thomas Jones.
,,	Sambo Luke.
Corporal	Thomas Rickett.
Drummer	Charles Paginini.
,,	Thomas Waite.
Private	George Barnswell.
,,	Charles Coleville.
,,	James Cummings.
,,	Henry Chester.
,,	Edward Dodwell.
,,	Henry Frazer.
,,	Charles Grantham.
,,	Mitchell Harris.
,,	Hugh Haywood.
,,	Hayzell Francis.
,,	Robert Hughes.
,,	Charles W. Johnson.
,,	Baron Janine.
,,	Abraham Keyon.
,,	Edward Lynch.
,,	William McGrigor.
,,	Thomas Macfarlon.
,,	James Mends.
Private	George Murphy.
,,	Charles Murry
,,	Dennis Pack.
,,	William Scott
,,	Robert Sharp.
,,	Jack Spratt.
,,	John Sterling.
,,	William Sutton.
,,	John Tapp.
,,	Joseph Taylor.
,,	John Williams.
,,	John Wright.
,,	James Collier.
,,	Thomas John.

Wounded.

Corporal	James Lawson.
Private	Samuel Bulgin.
,,	Richard Hall.
,,	Charles Hamilton.
,,	Thomas Hook.
,,	George Logan.
,,	King Tom.
,,	William Maxwell.

COMMISSARIAT STAFF.

Killed.

Acting Deputy Assistant Commissary General Firth.

(Signed) R. D. FLETCHER,
1st West India Regiment,
Commanding the Troops.

No. 8.

No. 8.

COPY of a DESPATCH from Acting Governor DOUGAN to Her Majesty's PRINCIPAL SECRETARY OF STATE FOR THE COLONIES.

(No. 99.)

Government House, Sierra Leone,
June 22, 1855.

(Received July 18, 1855.)

MY LORD,

ADVERTING to my Despatch, No. 96, of the 12th instant, I have the honour to inform your Lordship, that in consequence of the unfortunate termination of the Malagea expedition the council advised as a measure of precaution that the whole of the militia force should be enrolled, embodied, and called out for ten days' drill, under the ordinance extending the last Act for a period of three years, which has been transmitted to your Lordship for Her Majesty's confirmation and approval.

I therefore issued a proclamation to that effect, and I have now the honour of enclosing six copies of the same.

As matters are again all quiet, the militia was dismissed on the 11th instant, at the expiration of ten days' drill.

I have, &c.

(Signed) R. DOUGAN,
Acting Governor.

Her Majesty's Principal Secretary of State
for the Colonies.

LONDON:
Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

WEST COAST OF AFRICA.

RETURN to an Address of the Honourable The House of Commons, dated 20 April 1855;—*for*,

"COPIES or EXTRACTS of any ACTS of PARLIAMENT, ORDERS in COUNCIL, CHARTERS of JUSTICE or GOVERNMENT, and LOCAL ORDINANCES, defining the existing Civil and Judicial Constitutions of the British Settlements on the WEST COAST of AFRICA."

Colonial Office,
2 July 1855.

JOHN BALL.

(*Mr. John Forster.*)

Ordered, by The House of Commons, *to be Printed*,
11 *July* 1855.

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* The Gold Coast was, at this date, a dependency of the Government of Sierra Leone.

COPIES or EXTRACTS of any ACTS of PARLIAMENT, ORDERS in COUNCIL, CHARTERS of JUSTICE or GOVERNMENT, and LOCAL ORDINANCES, defining the existing Civil and Judicial Constitutions of the British Settlements on the WEST COAST of AFRICA.

WEST COAST OF AFRICA.

— No. 1. —

ANNO SEXTO VICTORIÆ REGINÆ. No. 1.

CAP. XIII.

AN ACT to enable Her Majesty to provide for the Government of Her Settlements on the Coast of Africa and in the Falkland Islands.—11th April 1843.

WHEREAS divers of Her Majesty's subjects have resorted to and taken up their abode and may hereafter resort to and take up their abode at divers places on or adjacent to the coast of the continent of Africa and on the Falkland Islands: And whereas it is necessary that Her Majesty should be enabled to make further and better provision for the civil government of the said settlements: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That it shall be lawful for Her Majesty, by any order or orders to be by Her made, with the advice of Her Privy Council, to establish all such laws, institutions, and ordinances, and to constitute such courts and officers, and to make such provisions and regulations for the proceedings in such courts, and for the administration of justice, as may be necessary for the peace, order, and good government of Her Majesty's subjects and others within the said present or future settlements respectively, or any of them; any law, statute, or usage to the contrary in anywise notwithstanding.

The Queen in Council may make laws, constitute courts, &c.

2. And be it enacted, That it shall be lawful for Her Majesty, by any commission or commissions under the Great Seal of the United Kingdom, or by any instructions under Her Majesty's signet and sign manual, accompanying and referred to in any such commission or commissions, to delegate to any three or more persons within any of the settlements aforesaid respectively the powers and authorities so vested in Her Majesty in Council as aforesaid, either in whole or in part, and upon, under, and subject to all such conditions, provisoes, and limitations as by any such commission or commissions or instructions as aforesaid Her Majesty shall see fit to prescribe: Provided always, that notwithstanding any such delegation of authority as aforesaid, it shall still be competent to Her Majesty in Council, in manner aforesaid, to exercise all the powers and authorities so vested as aforesaid in Her Majesty in Council: Provided also, that all such Orders in Council, commissions, and instructions as aforesaid, and all laws and ordinances so to be made as aforesaid, shall be laid before both Houses of Parliament as soon as conveniently may be after the making and enactment thereof respectively.

The Queen may delegate Her powers and authorities to resident officers.

Orders in Council, &c. to be laid before Parliament.

3. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended, &c.

— No. 2. —

No. 2.

ANNO SEXTO & SEPTIMO VICTORIÆ REGINÆ.

CAP. XCIV.

AN ACT to remove Doubts as to the Exercise of Power and Jurisdiction by Her Majesty within divers Countries and Places out of Her Majesty's Dominions, and to render the same more effectual.—24th August 1843.

WHEREAS by treaty, capitulation, grant, usage, sufferance, and other lawful means, Her Majesty hath power and jurisdiction within divers countries and places out of Her Majesty's dominions: and whereas doubts have arisen how far the exercise of such power and jurisdiction is controlled by and dependent on the laws and customs of this realm, and it is expedient that such doubts should be removed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that it is and shall be lawful for Her Majesty to hold, exercise, and enjoy any power or jurisdiction which Her Majesty now hath or may at any time hereafter have within any country or place out of Her Majesty's dominions, in the same and as ample a manner as if Her Majesty had acquired such power or jurisdiction by the cession or conquest of territory.

The power acquired by Her Majesty in countries out of Her dominions shall be held on the same terms as Her Majesty's authority in the Crown colonies.

2. And be it enacted, that every act, matter, and thing which may at any time be done, in pursuance of any such power or jurisdiction of Her Majesty, in any country or place out of Her Majesty's dominions, shall, in all courts ecclesiastical and temporal and elsewhere within Her Majesty's dominions, be and be deemed and adjudged to be, in all cases and to all intents and purposes whatsoever, as valid and effectual as though the same had been done according to the local law then in force within such country or place.

Acts done in pursuance of such power to be of the same effect as if done under local laws.

3. And be it enacted, that if in any suit or other proceedings, whether civil or criminal, in any court ecclesiastical or temporal within Her Majesty's dominions, any issue or question of law or of fact shall arise for the due determination whereof it shall, in the opinion of the judge or judges of such court, be necessary to produce evidence of the existence of any such power or jurisdiction as aforesaid, or of the extent thereof, it shall be lawful for the judge or judges of any such court, and he or they are hereby authorized, to transmit, under his or their hand and seal or hands and seals, to one of Her Majesty's Principal Secretaries of State, questions by him or them properly framed respecting such of the matters aforesaid as it may be necessary to ascertain in order to the due determination of any such issue or question as aforesaid; and such Secretary of State is hereby empowered and required, within a reasonable time in that behalf, to cause proper and sufficient answers to be returned to all such questions, and to be directed to the said judge or judges, or their successors; and such answers shall, upon production thereof, be final and conclusive evidence, in such suit or other proceedings, of the several matters therein contained and required to be ascertained thereby.

Courts authorised to procure evidence of such power by application to Secretary of State.

4. And whereas it may in certain cases be expedient that crimes and offences committed within such countries or places as aforesaid should be inquired of, tried, determined, and punished within Her Majesty's dominions; Be it enacted, that it shall and may be lawful for any person having authority derived from Her Majesty in that behalf, by warrant under his hand and seal, to cause any person charged with the commission of any crime or offence the cognizance whereof may at any time appertain to any judge, magistrate, or other officer of Her Majesty within any such country or place as aforesaid, to be sent for trial to any British colony which Her Majesty may by any Order or Orders in Council from time to time appoint in that behalf; and upon the arrival of such person within such colony it shall and may be lawful for the Supreme Court exercising criminal jurisdiction within the same to cause such person to be kept in safe and proper custody, and, so soon as conveniently may be, to inquire of, try, and determine such crime or offence, and upon conviction of the person so charged as aforesaid to correct and punish him according to the laws in force in that behalf within such colony, in the same manner as if the said crime or offence had been committed

Power to send persons charged with crimes for trial to a British colony.

mitted within the jurisdiction of such Supreme Court: provided always, that before any such person shall be sent for trial to any such colony as aforesaid it shall be lawful for him to tender for examination to the judge, magistrate, or other officer of Her Majesty to whom the cognizance of the crime or offence with which he is charged may appertain, within the country or place where the same may be alleged to have been committed, any competent witness or witnesses, the evidence of whom he may deem material for his defence, and whom he may allege himself to be unable to produce at his trial in the said colony; and the said judge, magistrate, or other officer shall thereupon proceed in the examination and cross-examination of such witness or witnesses in the same manner as though the same had been tendered at a trial before such judge, magistrate or other officer, and shall cause the evidence so taken to be reduced into writing, and shall transmit a copy of such evidence to the Supreme Court before which the trial of such person is to take place, together with a certificate under his hand and seal of the correctness of such copy; and thereupon it shall be lawful for the said Supreme Court, and it is hereby required, to allow so much of the evidence so taken as aforesaid as would have been admissible according to the law and practice of the said Supreme Court, had the said witness or witnesses been produced and examined at the trial before the said court, to be read and received as legal evidence at such trial: Provided also, that if it shall be made to appear at such trial that the laws by which the person charged with any criminal act would have been tried had his trial taken place before a judge, magistrate, or other officer of Her Majesty in the country or place in which such act may be alleged to have been committed, vary from or are inconsistent with the laws in force within such colony, in respect either of the criminality of the act charged, or of the nature or degree of the alleged crime or offence, or of the punishment to be awarded for the same, such Supreme Court is hereby empowered and required to admit and give effect to the laws by which such person would have been so tried as aforesaid, so far as but not further or otherwise than the same relate to the criminality of such act, or to the nature or degree of such crime or offence, or to the punishment thereof: Provided also, that nothing herein contained shall be construed to alter or repeal any law, statute, or usage by virtue of which any crime or offence committed out of Her Majesty's dominions might, at the time of the passing of this Act, be inquired of, tried, determined, and punished within Her Majesty's dominions, or any part thereof, but the same shall remain in full force and effect, anything herein contained to the contrary notwithstanding.

Before any such person shall be sent to any colony for trial he may tender any material evidence that he would be unable to produce on trial, and which shall be taken down and transmitted.

In case the laws of the place in which the Act was committed vary from those of the colony the Court may give effect to them.

Nothing herein to alter any law respecting crimes committed out of Her Majesty's dominions.

5. And whereas it may likewise in certain cases be expedient that the sentences passed within such countries and places as aforesaid at the trial of crimes and offences within the same should be carried into effect within Her Majesty's dominions; Be it enacted, that if any offender shall have been sentenced to suffer death or imprisonment for or in respect of any crime or offence of which such offender shall have been lawfully convicted before any judge, magistrate, or other officer of Her Majesty within any such country or place as aforesaid, it shall be lawful for any person having authority derived from Her Majesty in that behalf, by warrant under his hand and seal, to cause such offender to be sent to any British colony which Her Majesty may by any order or orders in council from time to time appoint in that behalf, in order that the sentence so passed upon such offender may be carried into effect within the same; and the magistrates, gaolers, and other officers to whom it may appertain to give effect to any sentence passed by the Supreme Court exercising criminal jurisdiction within such colony are hereby empowered and required to do all acts and things necessary to carry into effect the sentence so passed upon such offender, in the same manner as though the same had been passed by such Supreme Court.

Power to send convicts for execution or imprisonment to a British colony.

6. And be it enacted, that if any offender shall have been ordered or sentenced to be transported beyond the seas by any judge, magistrate, or other officer of Her Majesty within any such country or place as aforesaid, or, having been adjudged to suffer death, shall have received Her Majesty's most gracious pardon upon condition of transportation beyond the seas, it shall be lawful for any person having authority derived from Her Majesty in that behalf to cause such offender to be sent to any place beyond seas to which convicts may at any time be lawfully transported from any part of Her Majesty's dominions, and, if there shall be no convenient means of transporting such offender without bringing him to England,

Power to transport convicts.

WEST COAST OF AFRICA.

to cause such offender to be brought to England in order to be transported, and to be imprisoned in any place of confinement provided under the authority of any law or statute relating to the transportation of offenders convicted in England, until such offender shall be transported or shall become entitled to his liberty; and as soon as any such offender shall have arrived at the place to which he may be transported, or, if brought to England, shall have been there imprisoned as aforesaid, all the provisions, rules, regulations, authorities, powers, penalties, matters, and things concerning the safe custody, confinement, treatment, and transportation of any offender convicted in Great Britain shall extend and be construed to extend to such offender as fully and effectually, to all intents and purposes, as if such offender had been convicted and sentenced at any session of gaol delivery holden for any county in England.

Limitation of actions.

7. And be it enacted, that if any suit or action shall be brought in any court within Her Majesty's dominions against any person or persons for anything one in pursuance of any such power or jurisdiction of Her Majesty as aforesaid or of this Act, then and in every such case such action or suit shall be commenced or prosecuted within six months after the fact committed, and not afterwards, except where the cause of action shall have arisen out of Her Majesty's dominions, and then within six months after the plaintiff or plaintiffs and defendant or defendants shall have been within the jurisdiction of the court in which the same may be brought; and the same and every such action or suit shall be brought in the county or place where the cause of action shall have arisen, and not elsewhere, except where the cause of action shall have arisen out of Her Mejesty's dominions; and the defendant or defendants shall be entitled to the like notice, and shall have the like privilege of tendering amends to the plaintiff or plaintiffs, or their agent or attorney, as is provided in actions brought against any justice of the peace for acts done in the execution of his office by an Act passed in the 24th year of the reign of King George the Second, intituled "An Act for the rendering Justices of the Peace more safe in the Execution of their Office, and for indemnifying Constables and others acting in obedience to their Warrants;" and the defendant or defendants in every such action or suit may plead the general issue, and give the special matter in evidence; and if the matter or thing complained of shall appear to have been done under the authority and in execution of any such power or jurisdiction of Her Majesty as aforesaid or of this Act, or if any such action or suit shall be brought after the time limited for bringing the same, or be brought and laid in any other county or place than the same ought to have been brought or laid in as aforesaid, then the jury shall find for the defendant or defendants; and if the plaintiff or plaintiffs shall become non-suit, or discontinue any action after the defendant or defendants shall have appeared, or if a verdict shall pass against the plaintiff or plaintiffs, or if upon demurrer judgment shall be taken against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have the like remedy for recovery thereof as any defendant or defendants hath or have in any cases of law.

24 Geo. 2, c. 44.

Repeal of sect. 4 of 6 Geo. 4, c. 33, and of 6 & 7 Will. 4, c. 78.

8. And be it enacted, that from and after the 1st day of October in the year 1844, so much of an Act passed in the 6th year of his late Majesty King George the Fourth, intituled "An Act to repeal certain Acts relating to the Governor and Company of Merchants of England trading to the Levant Seas, and the Duties payable to them; and to authorise the Transfer and Disposal of the Possessions and Property of the said Governor and Company for the Public Service," as provides, "that from and immediately after the enrolment of any such deed or instrument as therein mentioned, all such rights and duties of jurisdiction and authority over his Majesty's subjects resorting to the ports of the Levant, for the purposes of trade or otherwise, as were lawfully exercised and performed, or which the Letters Patent or Acts by the said Act recited, or any of them, authorized to be exercised and performed by any consul or other officers appointed by the said company, or which such consuls or other officers lawfully exercised and performed under and by virtue of any power or authority whatever, should, from and after the enrolment of such deed or instrument as aforesaid, be and become vested in and should be exercised and performed by such consuls and other officers respectively as his Majesty might be pleased to appoint for the protection of the trade of his Majesty's subjects in the ports and places respectively mentioned in the said Letters Patent and Acts, or any or either of them;" and also that from and after the passing of this Act, an Act passed in the Parliament holden in the 6th

6th and 7th years of his said late Majesty King William the Fourth, intituled "An Act to enable His Majesty to make Regulations for the better defining and establishing the Powers and Jurisdiction of His Majesty's Consuls in the Ottoman Empire," shall be and the same are hereby repealed, save as to any matter or thing theretofore done under the authority of the same respectively.

9. And be it enacted, that this Act may be amended or repealed by any Act to be passed during this Session of Parliament.

Act may be amended or repealed.

SIERRA LEONE.

— No. 3. —

No. 3.

WARRANT to prepare a Commission for the Trial of Offences committed at Sea, within the Jurisdiction of the Colony at *Sierra Leone*.

IN the name and on the behalf of His Majesty,

(L. S.) GEORGE P. R.

OUR will and pleasure is that you prepare a Bill for our Royal Signature, to pass our Great Seal of our United Kingdom of Great Britain and Ireland, in the words or to the effect following: viz.

GEORGE the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith: To our trusty and well-beloved Charles MacCarthy, Esquire, our Governor of our colony of Sierra Leone, on the Coast of Africa; and to the Governor of our said colony for the time being, Edward Fitzgerald, Esquire, our Chief Justice and Judge of our Court of Vice-Admiralty at our said colony; and to the Chief Justice and Judge of our said Court of Vice-Admiralty at our said colony for the time being, Thomas Gregory, Esquire, our Commissary Judge of our said colony; and our Commissary Judge of our said colony for the time being, Daniel Molloy Hamilton, Esquire, our Advocate at our said colony; and to our Advocate at our said colony for the time being, Dudley Feneday, Esquire, our Secretary of our said colony; and to our Secretary of our said colony for the time being, Thomas Stuart Buckle, Esquire, our Surveyor and Engineer of our said colony, or our Surveyor or Engineer of our said colony for the time being; and to Edward Gregory, Esquire, and to every of them, Greeting:

WHEREAS by an Act of Parliament made in the 46th year of our reign, intituled, "An Act for the more speedy Trial of Offences committed in distant parts upon the Sea," it is enacted, that all treasons, piracies, felonies, robberies, murders, conspiracies, and other offences of what nature or kind soever committed upon the sea, or in any haven, river, creek, or place where the Admiral or Admirals have power, authority, or jurisdiction, may be inquired of, tried, heard, determined, and adjudged according to the common course of the laws of this realm used for offences committed upon the land within this realm, and not otherwise, in any of our islands, plantations, colonies, dominions, forts, or factories under and by virtue of our commission or commissions, under the Great Seal of Great Britain, to be directed to any such four or more discreet persons, as the Lord Chancellor of Great Britain, Lord Keeper, or Commissioners for the custody of the Great Seal of Great Britain for the time being, should from time to time think fit to appoint. And that the said Commissioners, or any three of them, should have such and the like powers and authorities for the trial of all such murders, treasons, piracies, felonies, robberies, conspiracies, and other offences within any such island, plantation, colony, dominion, fort, or factory, as any Commissioners appointed or to be appointed, according to the directions of a certain statute made and passed in the 28th year of the

SIERRA LEONE.

reign of his late Majesty King Henry the Eighth, intituled, "For Pirates," by any law or laws now in force, have or would have for the trial of the said offences within this our realm; and that all persons convicted of any of the said offences so to be tried by virtue of any commission to be made according to the directions of the said Act of the 46th* year of our reign should be subject and liable to, and should suffer all such and the same pains, penalties and forfeitures as by any law or laws now in force, persons convicted of the same respectively would be subject and liable to, in case the same were respectively inquired of, tried, heard, determined, and adjudged within this our realm, by virtue of any commission made according to the directions of the said statute of the 28th year of the reign of King Henry the Eighth, any law, statute, or usage to the contrary notwithstanding: AND WHEREAS by an Act of Parliament made in the 51st* year of our reign, intituled "An Act for rendering more effectual an Act made in the 47th* year of His Majesty's reign, intituled, "An Act for the Abolition of the Slave Trade," certain offences therein specified are declared to be felonies or misdemeanors respectively, and the offenders, their aiders and abettors, are respectively made liable to such pains and penalties as are therein mentioned and provided: AND WHEREAS by an Act of Parliament made in the 58th* year of our reign, intituled, "An Act to explain and amend an Act passed in the 51st* year of His Majesty's reign, for rendering more effectual an Act made in the 47th* year of His Majesty's reign for the Abolition of the Slave Trade," it is enacted, that all offences declared by the said Act of the 51st* year of our reign to be felonies or misdemeanors committed or which should be committed on the high seas, or in any port, sea, creek, or place where the Admiral hath jurisdiction, might be inquired of, tried, and determined, under and by virtue of any commission already issued or thereafter to be issued according to the directions of the said recited Act of the 46th year of our reign, and that all persons convicted of any of the said offences so inquired of, tried, and determined under and by virtue of any such commission, made or issued, or to be made or issued, according to the directions of the said Act of the 46th year of our reign, should be subject and liable to, and should suffer all such and the same pains, penalties, and forfeitures as by any law or laws then in force persons convicted of the same respectively would be subject and liable to in case the same were respectively inquired of, tried, and determined, and adjudged within this realm, by virtue of any commission made according to the directions of the statute of the 28th year of the reign of King Henry the Eighth, any law, statute, or usage to the contrary notwithstanding: AND WHEREAS by another Act of Parliament made in the 59th* year of our reign, intituled "An Act to extend the Provisions of an Act made in the 46th year of His Majesty's reign, intituled 'An Act for the more speedy Trial of Offences committed in distant parts upon the Sea,' to the Trial of Offences committed in Africa against the Laws for abolishing the Slave Trade," after reciting the said Acts of the 46th*, 51st*, and 58th* years of our reign, and that offences which by the said recited Act of the 51st* year of our reign, were declared to be felonies or misdemeanors, had been or might be committed by British subjects in Africa, either on shore or in rivers or other places where the Admiral had no jurisdiction, and that it might be impossible in such cases to bring the offenders to justice under any of the said recited Acts, or any other laws then in being, without great inconvenience, expense and delay; it is enacted, that each and every offence declared by the said Act of the 51st year of our reign to be a felony or misdemeanor committed or which shall be committed by any subject or subjects of us, our heirs or successors, in Africa or in any of the rivers, ports or harbours thereof, not being a place where the Admiral has jurisdiction, and not being within the local jurisdiction of any court of a British colony or settlement in Africa competent to try such offence, may be inquired of, tried and determined under and by virtue of any commission already issued or hereafter to be issued according to the directions of the said recited Act of the 46th year of our reign: KNOW YE THEREFORE that we, confiding very much in your fidelity and careful circumspection, have appointed you or any three of you, (of which number our will and pleasure is that our Governor of our said colony, our Chief Justice and Judge

* *See* 5 Geo. 4, c. 113, "An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade" (extract printed at page 10).

Judge of our said court of Vice-Admiralty, our Commissary Judge of our said colony, or our Advocate at our said colony for the time being, always be one,) our Commissioners to inquire upon the oath of good and lawful men of our said colony of Sierra Leone, and by other way, means and methods, according to your best knowledge and ability, as well within liberties as without, whereby the truth of the matter may be the better known and inquired into concerning all treasons, piracies, felonies, robberies, murders, conspiracies and other offences whatsoever, and accessories thereto, whomsoever and howsoever done or committed, or hereafter to be done or committed, upon the seas or in any haven, river, creek, or place where the Admiral or Admirals have power or authority of jurisdiction; and also all offences whatsoever, which by the said recited Act of the 51st year of our reign are declared respectively to be felonies or misdemeanors, whether such last-mentioned offences have been or shall be committed upon the sea, or in any haven, river, sea, creek, or place where the Admiral hath full power, authority or jurisdiction, or on shore in Africa, or in any of the rivers, ports, or harbours thereof, not being a place where the Admiral hath jurisdiction, and not being within the local jurisdiction of any ordinary court of a British colony or settlement in Africa competent to try such offence, and to hear and determine all such offences according to the laws and customs of this our realm, and the statutes in that behalf made and provided, as by the laws and statutes of this our realm the same might or ought to be heard, tried, or determined. And therefore we command you that at certain times and places which you, or three of you (whereof our said Governor of our said colony, our Chief Justice and Judge of our said Court of Vice-Admiralty, our Commissary Judge of our said colony, or our Advocate at our said colony for the time being, shall always be one), shall prefix for this purpose, you diligently make inquiry concerning the premises; that you hear and determine all and singular the same, and do and perform, in manner aforesaid, all things to be done thereupon as appertains to justice, according to the laws and customs of this our realm, and the statutes in that behalf made and provided. And we do by these presents command, and our will and pleasure is, that it be in our name firmly and strictly given in charge to the P rovost-marshal or deputy Provost-marshal of our said colony and others whom it may concern, and to every of them, as well within liberties as without, that at certain times and places when and as often as need shall require which our Governor of our said colony, or his lieutenant or deputy for the time being, shall make known to them or either of them in form aforesaid, they cause to come before you, or three of you at the least (whereof our said Governor of our said colony, our Chief Justice and Judge of our said Court of Vice-Admiralty, our Commissary Judge of our said colony, or our Advocate at our said colony, for the time being, shall always be one), so many and such good and lawful men of the said colony, by whom the truth of the matter concerning the premises may be the better known and inquired into; commanding, moreover, all justices, bailiffs, stewards, constables, also the keepers of gaols and prisons, and all other officers and ministers, our faithful and liege subjects whomsoever, as well within liberties as without, from time to time, in the execution of the premises, and every of them, that they be helping, favouring, assisting, and yielding obedience to you, and every of you, in all things as is fitting. In witness, &c. And for so doing this shall be your warrant.

Given at our court at Carlton House, the 24th day of November 1819, in the 60th year of our reign.

By command of His Royal Highness the Prince Regent, in the name and on behalf of His Majesty.

(Countersigned)

Bathurst.

To our Attorney or Solicitor General.

— No. 4. —

No. 4. EXTRACT of IMPERIAL ACT, 5 Geo. 4, cap. 113, intituled "An Act to amend and consolidate the Laws relating to the Abolition of the Slave Trade." (Referred to at pages 7 and 8).

Sect. 49. "And be it further enacted, that all offences against this Act which shall be committed in any place where the Admiral has not jurisdiction, and not being within the local jurisdiction of any ordinary court of a British colony,* settlement, plantation, or territory competent to try such offence, may be inquired of, tried, and determined, under and by virtue of any commission to be issued according to the directions of the said Act of the 46th year of the reign of his late Majesty King George the Third."

Sect. 50. "And be it further enacted, that all offences committed against this Act may be inquired of, tried, determined, and dealt with, as if the same had been respectively committed within the body of the county of Middlesex."

— No. 5. —

No. 5. CHARTER OF SIERRA LEONE.

CONSTITUTION of the Colony of *Sierra Leone*, and its Dependencies, from the 20th deg. North to the 20th deg. South Latitude, as established by Charter; dated at Westminster, 17th October 1821. Proclaimed at Sierra Leone 28th February, and at Cape Coast Castle 29th March 1822.

GEORGE the Fourth, by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith: To all to whom these Presents shall come greeting:

Preamble. WHEREAS, by an Act of Parliament made and passed in the 31st year of the reign of his late Majesty King George the Third, our dearest father, intituled "An Act for establishing a Company for carrying on Trade between the Kingdom of Great Britain and the coasts, harbours, and countries of Africa, and for enabling the said Company to hold by grant from his Majesty, his heirs and successors, and from the native Princes of Africa, a certain district of land, commonly called the Peninsula of Sierra Leone, now vested in his Majesty or belonging to the said Princes, for the better enabling the said Company to carry on the said Trade," it was (amongst other things) enacted, that the several persons therein named and described should be, and they were thereby created one distinct and separate body politic and corporate, by the name or style of "The Sierra Leone Company;" and it was also enacted, that it should be lawful for his said late Majesty, his heirs and successors, to make unto the said company a grant, by letters patent under the great seal of Great Britain, of so much and such part of all that tract or district of land situate and being at Sierra Leone, on the coast of Africa, and commonly called or known by the name or description of "The Peninsula of Sierra Leone," as then already might have, or should thereafter by any grant, purchase, or cession from any of the kings, princes, or chiefs having right therein, become vested in his said late Majesty, his heirs or successors, with power and liberty to and for the said company to purchase of and from all kings, princes, and chiefs, or other powers, having right to make sale thereof, so much land as should include the whole tract or district, so commonly called or known by the name of the Peninsula of Sierra Leone as aforesaid, bounded as thereinafter mentioned, to hold the same to the said company and their assigns upon such terms, conditions, and reservations as his said late Majesty, his heirs and successors, should judge expedient. And it was thereby further enacted, that the said Act should take place and have continuance from the 1st day of July 1791, for the term of 31 years, and from thence to the end of the then next Session of Parliament. AND WHEREAS the said company, in pursuance of the said Act, and immediately after passing the same, did raise a large

Sierra Leone Company.

* The Imperial Act, 12 & 13 Vict. c. 96, "to provide for the Prosecution and Trial in Her Majesty's Colonies of Offences committed within the Jurisdiction of the Admiralty," will be found in the Appendix to this Paper.

large capital of stock, and did enter upon the business and undertakings for which they were incorporated, and did also purchase from the natives of Sierra Leone aforesaid a part or district of the said peninsula, and form a very considerable establishment for their officers, servants, and settlers, and built a town called Freetown, and laid out plantations there, and also formed some other settlements or factories on the neighbouring coasts, for the purpose of carrying on trade with this country in the natural productions of Africa. And whereas the said company humbly besought his said late Majesty by petition to make unto them such grant of the said peninsula as in the said Act of Parliament is specified, and further to grant unto them certain powers, privileges, and franchises, for the government of the said peninsula, and for the effectual administration of justice in civil causes, and for the trial and punishment of crimes or misdemeanors committed there or in the said company's other factories and settlements, suggesting that the granting of such powers unto the said company would not only conduce to the welfare of the said peninsula, but would also tend, as there was great reason to believe, to advance the national interests on the continent of Africa. And whereas his said late Majesty, having considered the premises, did, by virtue and in pursuance of the said recited Act, and of his own special grace, certain knowledge and mere motion, give and grant, by Letters Patent under the Great Seal of Great Britain, bearing date at Westminster the 5th day of July, in the fortieth year of his reign, for himself, his heirs and successors, to the said company, their successors and assigns (under the reservations, limitations, and declarations thereinafter expressed), all, and every such part and parts of all, that tract or district of land situate and being at Sierra Leone, on the coast of Africa, and commonly called or known by the name or description of the "Peninsula of Sierra Leone," as already had, by any grant, purchase, or cession from any of the kings, princes, or chiefs having right therein, become vested in his said late Majesty, his heirs and successors, together with all the soils, grounds, havens, ports, gulfs and bays, mines, minerals, precious stones, quarries, woods, rivers, waters, fishings, as well Royal as other fishings, pearls, commodities, jurisdictions, royalties, franchises, privileges, and pre-eminences within the same and the precincts thereof, and thereunto in any sort belonging or appertaining, and which his said late Majesty by his Letters Patent might or could grant, and in as ample a manner as his said late Majesty or any of his Royal progenitors had hitherto granted to any company or body politic or corporate, or any other person or persons whomsoever, and in as large and ample a manner as if the same were then particularly mentioned and expressed. And did further give and grant unto the said company, their successors and assigns, full power, liberty, and privilege to purchase of and from all kings, princes, and chiefs, or other powers having right to make sale thereof, so much land in addition thereto as should include the whole tract or district commonly called or known by the name of the "Peninsula of Sierra Leone" as aforesaid, as the same was bounded on the north by the River Sierra Leone, on the south by the River Camaranca, on the east by the River Bunce, and on the west by the sea, to have, hold, and enjoy the same peninsula, and the whole use, property, and possession thereof, unto the said company, their successors and assigns, to be holden of his said late Majesty, his heirs and successors, as of his manor of East Greenwich, in the county of Kent, in free and common soccage, and not in capite; yielding and paying therefor to his said late Majesty, his heirs and successors, the rent or sum of 10 *s.*, of lawful money of Great Britain, on the first day of September yearly: all which lands, countries, and premises thereby granted or mentioned, or intended so to be, his said late Majesty did, by the said Letters Patent, make, erect, and create one independent and separate colony, by the name of the "Colony of Sierra Leone." And did further, for himself, his heirs and successors, grant unto the said company and their successors, and did, by the said Letters Patent or Charter of Justice, ordain, will, and establish that the Court of Directors of the said company, assembled for that purpose, should and might make, enact, and declare laws, statutes, and ordinances fit and necessary for and concerning the government of the said colony; and that the same should be in full force and virtue within the said colony of Sierra Leone, so as the same should not be repugnant to the laws of this realm, and to impose reasonable fines, penalties, or forfeitures for any breach or breaches thereof. And did further will and ordain, that the Court of Directors of the said company for the time being, being assembled for that purpose, should from time to time have full power and authority to nominate, make, constitute, and appoint a Governor and three Council for the government

Peninsula of Sierra Leone granted to Sierra Leone Company.

Authority to purchase of native chiefs.

Name of the colony.

Court of Directors to enact laws, &c.

To nominate Governor and Council.

government of the said colony, and the factories or settlements dependent thereon; and such Governor and Council, or any of them so appointed, at their pleasure to remove or recal, and another or others in his or their place or places to appoint; and that such Governor and Council so to be appointed should and might make, enact, and declare laws, statutes, and ordinances, fit and necessary for and concerning the government of the said colony, and not repugnant to the laws and statutes of this realm, and that the same should be in full force and virtue within the said colony of Sierra Leone until the said Court of Directors should think fit to disallow or disapprove of the same. And did further give and grant unto the said company and their successors, and did by the said Charter ordain, direct, and establish that there should be within the said town of Freetown one body politic and corporate, by the name or style of the "Mayor and Aldermen of Freetown;" and that such body politic and corporate should consist of a mayor and three aldermen; and that the said body politic and corporate, by the name and style aforesaid, should have perpetual succession, and should and might be able and capable in law to sue and be sued in any courts and causes whatsoever, and should and might have a common seal for the business and affairs of the said corporation, which common seal they and their successors might break and change at their pleasure; and did further by the said Charter direct that the persons constituted respectively the first and modern mayor and the first and modern aldermen of the said town of Freetown, in and under the same, should, at a time to be appointed for that purpose by the Governor, or in case of his absence by the senior of the Council then residing at Sierra Leone, within 14 days after notice of the said Charter, take an oath duly to execute their respective offices, together with the oath of allegiance, which oaths the said Governor, or in his absence the senior of the Council then residing at Sierra Leone, was thereby empowered to administer, and that from the time of taking the said oaths of office and allegiance, the said mayor should continue in the said office until another person should be duly elected and sworn into the said office as thereinafter was directed: and did by the said Charter direct, that the said persons therein nominated as aforesaid to be aldermen of Freetown, should continue in their respective offices of aldermen from the term of taking such oaths as aforesaid, for and during the term of their natural lives, unless their said places should be avoided or themselves removed in such manner as thereinafter was mentioned. And did further will and direct, that it should and might be lawful to and for the Governor and Council of the said colony for the time being, or the major part of them (whereof the said Governor, or in his absence the senior of the Council then residing at Sierra Leone, to be one), yearly and every year, on the first Monday in the month of September, to assemble themselves, and proceed to the election of one person out of the aldermen of the said town of Freetown to be mayor of the said town for one year, from the twenty-ninth day of September in every year, and until another should be duly elected and sworn into the said office. And did further ordain and appoint, that the person so chosen into the office of mayor should, on or before the twenty-ninth day of September next after he should be chosen into his said office as aforesaid, take the usual oath of office and the oath of allegiance before the said Governor for the time being, or in his absence before the senior of the Council then residing at Sierra Leone, who was thereby authorised and required to administer the same, and should continue in such office for the space of one whole year, from the said twenty-ninth day of September, and until another should be duly elected and sworn into the said office in manner before mentioned: And that in case any mayor should happen to die in his said office, the Governor and Council of the said colony for the time being, or the major part of them, (whereof the said Governor, or in his absence the senior of the Council then residing at Sierra Leone, to be one,) should and might, as soon after as they conveniently could assemble, and elect one other person out of the aldermen of the said town of Freetown, for the time being, to be mayor of the said town of Freetown for the remainder of the year, and until another should be duly elected and sworn into the said office: And that the person so chosen and appointed as aforesaid should immediately thereupon take the same oaths of office and allegiance as were before directed to be taken by the mayors of the said Corporation: And did further ordain, that the mayor of the said town of Freetown, thereinbefore nominated, and every other person who should thereafter be mayor of the said town should, after the determination of his office of mayor, continue to be one of the aldermen of the said town, until his said place should be avoided, and himself removed

Mayor and aldermen of Freetown.

Oaths.

Governor and Council to elect mayor, and when.

Continuance in office.

Mayor to continue alderman after the

removed in manner thereinafter mentioned; provided that the mayor for the time being should be capable of being elected from time to time when and as the electors should think fit. And did further will and direct, that so often as any of the aldermen of the said town should die or be removed, or their places be avoided in manner thereinafter mentioned, the Governor and Council of the said colony for the time being, or the major part of them, (whereof the said Governor, or in his absence the senior of the Council then residing at Sierra Leone, to be one), should and might assemble and elect some other fit person out of the inhabitants of the said town of Freetown into the said place of alderman, who should, within fourteen days after his election, take the oath of office and the oath of allegiance before the Governor of the said colony for the time being, or in his absence the senior of the Council then residing at Sierra Leone, and should continue in such office during his life, unless his said place should be avoided, or himself removed in such manner as thereinafter was mentioned: And that if any person so chosen an alderman should neglect or refuse to accept such office, not having a reasonable excuse for so doing, and should not within fourteen days next after such his election take the oath of office and the oath of allegiance, then and in such case every such person should forfeit and pay such reasonable fine as should for that purpose be fixed and agreed on by the Court of the Mayor and Aldermen thereinafter constituted, with the approbation and consent of the said Governor and Council of the said colony for the time being, or the major part of them, (whereof the said Governor, or in his absence the senior of the Council then residing at Sierra Leone, to be one,) to be by them signified to the said court in writing: And did further by the said Charter ordain and provide, that if the said mayor, or any of the said aldermen, should remove or return to Europe, or should otherwise be absent from the said town of Freetown, by the space of three calendar months, unless for such reasonable cause as the said Governor and Council for the time being, or the major part of them (whereof the said Governor, or in his absence the senior of the Council then residing in Sierra Leone, to be one,) should allow, or should become the said company's Governor, or one of their Council of the said colony, in every such case the place or office of every such mayor or aldermen should be void, and it should and might be lawful to choose another mayor or alderman in the place and stead of such person, in the same manner as was before provided in case such mayor or aldermen had been naturally dead. And did further thereby direct and appoint, that it should and might be lawful to and for the said Governor and Council of the said colony for the time being, or the major part of them (whereof the said Governor, or in his absence the senior of the Council then residing at Sierra Leone, to be one,) to remove any of the said aldermen upon reasonable cause, provided that a complaint in writing were first exhibited against him, and that he had a reasonable time given him for his defence, and were summoned for that purpose, in case he should be resident within the limits and precincts of the said town of Freetown; but that in case any person should think himself aggrieved by any such sentence or adjudication of removal, such person might, within one calendar month after notice of such removal, appeal to the said court of directors, upon giving security to pay the costs of such appeal, in case such sentence or adjudication should be affirmed, although such appeal should not suspend the execution of such sentence. And did further by the said Charter ordain, direct, and appoint, that the mayor and aldermen for the time being of the town of Freetown aforesaid should be, and they were thereby constituted a court of record, by the name of the "Mayor's Court of Freetown;" and that they, or any two or more of them (whereof the mayor, or the senior alderman for the time being residing there, to be one,) might, and they were thereby authorised to try, hear, and determine all civil suits, actions, and pleas, between party and party, that should or might arise or happen, or that had already arisen or happened within the said colony of Sierra Leone, or any of the factories subject or subordinate thereunto, except such suits or actions as should be between natives of Africa only, not become settlers within the said colony or factories, in which case his said late Majesty willed, that the same should be determined among themselves, unless both parties should, by consent, submit the same to the determination of the said mayor's court, and also except where the cause of action or suit should not exceed the value of 40 *s.*: provided, that if the said mayor or any of the said aldermen should be any ways interested in the event of any such action or suit, no such mayor or aldermen so interested as aforesaid should sit or act as a judge in such suit or action, but that the same should be heard and determined by such of them, the said mayor and aldermen, as

determination of his office.

Governor and Council to elect aldermen.

Oaths.

Fine on refusal.

In what case office vacated.

Governor and Council to remove aldermen upon reasonable excuse.

Mayor's Court of Freetown.

should be no ways interested therein; and that in all cases where the number of voices should be equal in the determination of any action or suit, the mayor, or in his absence the senior alderman present, should have two voices. And did further by the said Charter direct, that the person constituted first sheriff of the said colony, in and under the same, should, at a time to be appointed for that purpose by the Governor, or in his absence by the senior of the Council then residing at Sierra Leone aforesaid, within 14 days after notice of the said Charter, take an oath duly to execute his office, together with the oath of allegiance, which oaths the said Governor, or in his absence the senior of the Council then residing at Sierra Leone aforesaid, was thereby empowered to administer. And that from the time of taking the said oaths of office and allegiance, the said sheriff should continue in the said office until another should be duly elected and sworn into the said office, as thereinafter was directed. And that the Governor and Council of the said colony for the time being, or the major part of them (whereof the said Governor, or in his absence the senior of the Council then residing at Sierra Leone, to be one,) should yearly, on the first Monday in the month of September, assemble themselves, and proceed to the election of a new sheriff for the year ensuing, to be computed from the 29th day of September next after such election, which sheriff when elected, so soon as conveniently might be, and before he should enter upon his said office, should take the usual oath of office and the oath of allegiance before the said Governor for the time being, or in his absence the senior of the Council then residing at Sierra Leone, who were thereby authorised to administer the same, and should continue in such office during the space of one whole year from the said 29th day of September, and until another should de duly elected and sworn into the said office, unless his said place should be avoided in such manner as thereinafter was mentioned. And that in case any such sheriff should die in his office, or should remove from the said town of Freetown, or be absent from the same by the space of three calendar months, unless for such reasonable cause as the said Governor and Council for the time being, or the major part of them, (whereof the Governor, or in his absence the senior of the Council then residing at Sierra Leone, to be one,) should allow, then the said Governor and Council, or the major part of them, (whereof the Governor, or in his absence the senior of the Council then residing at Sierra Leone, to be one,) should and might, as soon as conveniently might be after the death, removal, or absence of such sheriff, assemble and choose another person to be sheriff in his room, who should be sworn as aforesaid, and continue in his office for the remainder of the year, and until another should be duly elected and sworn into the said office. And that the said sheriff hereby appointed, and every other sheriff so to be elected and sworn as aforesaid, should, during his and their continuance in such office respectively, have full power and authority to summon juries, execute and make return of all process of the said court, and of any other court erected by the said Charter within the districts aforesaid, and in case of the absence of any such sheriff for such reasonable cause to be allowed as aforesaid, the deputy or under-sheriff, to be appointed by such sheriff, should return all process and do all acts in the name of and by virtue of the authority of such sheriff; and did further by the said Charter direct, ordain, and appoint, that upon complaint to be made in writing to the said court by or on the behalf of any person or persons against any other person or persons whomsoever there residing or being, or who at the time when such cause or action had or should have accrued did or should reside, or be within the said town or elsewhere, in the said colony of Sierra Leone, or any of the factories subordinate thereto, of any of the causes of suit aforesaid already accrued, or which should or might thereafter accrue, unless the same should be between the natives only of Africa not become settlers within the said colony of Sierra Leone or the said factories, or unless such cause of suit should not exceed the value of 40 *s.*, the said court should and might issue a summons in writing, under the hands and seals of two of the judges of the said court, (whereof the mayor for the time being, or in his absence the senior alderman residing within the said town of Freetown, to be one,) to be directed to the said sheriff, requiring the party or parties, defendant or defendants, to appear before them at a certain time and place therein to be appointed, to answer the said complaint, and in default of appearance, upon return of the said summons at such time and place, the said court should and might issue forth a warrant under the hands and seals of any two of the judges of the said court, (whereof the mayor for the time being, or the senior alderman then residing within the said town of Freetown, to be one,) unless the said mayor or senior alderman should be a party in

Sheriff.

Governor and Council to elect sheriff, and when.

Oaths.

Death or absence of sheriff.

Sheriff to summon juries, &c.

Under-sheriff.

Proceedings and jurisdiction of Mayor's Court.

Summons.

Warrant of arrest in default of appearance.

in such action or suit, (and in that case, under the hands and seals of any other two of the judges of the said court,) directed to the said sheriff for the time being, to take the body or bodies of such defendant or defendants, and bring him, her, or them before the said court at a certain time and place therein to be appointed to answer to the said complaint, and in case of appearance or arrest of the body or bodies of such defendant or defendants, to let such defendant or defendants out to bail, upon giving sufficient security (which his said late Majesty did thereby empower the said court to take) to abide and perform the final order and judgment of the said court, or such final order and judgment as should or might be given upon any appeal to be brought in the said cause, or to surrender himself to the said court, to be charged in execution until the said judgment should be satisfied. And in default of finding bail or giving such security as aforesaid, to detain such defendant or defendants in custody until he, she, or they should have found such bail or have given such security as aforesaid, or should have judgment or sentence given for him, her, or them for such complaint; and after such bail, bond, or security given as aforesaid, or in case such defendant or defendants should be detained in custody for want of bail or security, his said late Majesty did thereby, for himself, his heirs and successors, ordain, direct and authorise the said court to proceed to the examination of the matter and cause of complaint, either upon the oath or oaths or solemn affirmation of any witness or witnesses, to be taken in the most solemn manner; that is to say, the oath or oaths of such witness or witnesses who shall profess the Christian religion to be taken upon the Holy Evangelists, unless such witness or witnesses should be of the persuasion of the people called Quakers, in which case a solemn affirmation should be sufficient; and upon the oath or solemn affirmation of any of the natives, in such manner as they should esteem to be the most binding on their consciences, to oblige them to speak the truth, for which purpose the said court was empowered by the said Letters Patent to administer such oath or affirmation to such witness or witnesses as should be produced on behalf of either party, plaintiff or defendant, or by the confession or admission of such defendant or defendants in his, her, or their answer, upon the like oath or affirmation according to his, her, or their religion, sect, or caste respectively, which oath or affirmation the said court was also by the said letters patent empowered to administer, and that thereupon it should be lawful for the said court to give judgment and sentence according to law and equity, and to award and issue a warrant or warrants of execution, under the hands and seals of two of the judges of the said court (whereof the mayor of the said town of Freetown for the time being, or the senior alderman then residing within the said town, to be one), unless they or either of them should be interested therein (and in that case under the hands and seals of any two of the aldermen not interested therein), to be directed to the sheriff for the time being, for levying the debt, duty, or damages adjudged or decreed to the party or parties, complainant or complainants, together with costs of suit upon the goods and chattels of such defendant or defendants, or to cause sale to be made of his, her, or their goods and chattels, rendering to the party the overplus, if any were; and for want of sufficient distress, his said late Majesty did thereby give full power and authority to the said court to imprison the defendant or defendants until satisfaction were made by him, her, or them to the plaintiff or plaintiffs of the debt, duty, or damages decreed or adjudged, together with the costs of suit. And in case judgment were given for the defendant or defendants, full power and authority were thereby likewise given to the said court to award costs for such defendant or defendants, and to issue the like process and execution for the same as in cases where costs were awarded to any plaintiff or plaintiffs. And that if any action or suit should be brought or commenced against the mayor of the said corporation for the time being, during his being or continuing in his office, it should and might be lawful for the said mayor's court to proceed in and determine such suit in the same manner as in any other action or suit depending before them; but such mayor should not sit as judge, or appear on the bench, during the hearing of the said cause or making any order therein. And that if any action or suit should be brought against the said sheriff during his being and continuing in his office, it should and might be lawful to and for the said Governor and Council for the time being, or the major part of them (whereof the Governor, or the senior of the Council residing at Sierra Leone, to be one), to nominate and appoint a proper person to execute the process and orders of the said court against such sheriff for the time being; and to the intent that due provision might be made that there might be no failure of justice if the defendant

Bail.

Trial.

Oaths to the witnesses.

Sentence and warrant of execution.

The like process and execution when judgment for defendant.

Mayor a party, not to sit as judge.

Sheriff a party, not to act.

or defendants who was or were resident within the said town of Freetown, or elsewhere within the said colony, or any of the factories or settlements subordinate thereto at the time when any cause of action did accrue, should withdraw him or herself or themselves out of, or should not be found within the jurisdiction of the said court, his said late Majesty did, by the said Charter, give, grant, will, direct, and appoint, that in case the sheriff should make return of such summons or warrant of arrest that the party or parties, defendant or defendants, therein mentioned, or any of them, was or were not to be found within the jurisdiction of the said court, it should and might be lawful to and for the said court, upon an affidavit of proof verifying the demand of the plaintiff or plaintiffs in such suit to the satisfaction of the said court, to grant a sequestration to seize the estates and effects of such party or parties, defendant or defendants, to such value as the said court should think reasonable, and should direct in such process of sequestration, and the same to detain in the hands of a proper person, to be appointed by the said court, until such party or parties should appear to the said complaint and give security as aforesaid; and in case the party or parties, defendant or defendants, should not appear and give security as aforesaid within the space of six months, unless it should be shown to the said court on behalf of such defendant or defendants that, he, she, or they was or were residing in Great Britain or Ireland, then that it should and might be lawful for the said court to proceed to hear and determine the said cause, and to give judgment therein as aforesaid. And in case judgment should be given for the plaintiff or plaintiffs in such suit, to direct the effects so seized to be sold, and out of the produce thereof to make satisfaction to the plaintiff or plaintiffs for the debt, duty, or damages, and costs recovered, returning the overplus, if any should be, unto such defendant or defendants; and in case such produce should not be sufficient to make satisfaction to the plaintiff or plaintiffs, that then it should and might be lawful to and for the said court to award execution for the residue of the debt, duty, or damages and costs recovered in manner aforesaid; provided nevertheless, that in all cases where the action to be tried would, if the parties had been resident in this realm, have been tried by a jury in some court of law, every such action should be tried in the said Mayor's Court before a jury, according to the practice of the said courts of law in this realm, or as near thereto as the circumstances would admit of. And his said late Majesty did thereby empower the said court to administer to such jury the usual oath taken in like cases in this realm. And for the considerations therein recited, his said late Majesty further by the said Charter willed and ordained, that all such money, securities, and effects of the suitors of the said court as should be ordered into court, or to be paid, delivered, or deposited for safe custody, should be paid or delivered unto or deposited with the Governor and Council of the said colony, to be by them kept in deposit, subject to such orders and directions as the said Mayor's Court should from time to time think fit to make concerning the same for the benefit of the suitors. And did also give and grant unto the said court of directors of the said company, or the major part of them, full power and authority from time to time to name and appoint an officer, under the name of Accountant-general of the Mayor's Court of Freetown, and the same at their pleasure to remove, and another to appoint, who should act, perform, and do all matters and things necessary to carry into execution the orders of the said Mayor's Court relating to the payment or delivery of the suitors' money, effects, and securities unto the Governor and Council of the said colony, and taking the same out again, and keeping the accounts with the said Governor and Council, and register or other proper officer of the Mayor's Court, and other matters relative thereof, under such rules, methods, and directions as should from time to time be made and given by the court of directors of the said company; which rules, methods, and directions his said late Majesty thereby willed and directed should be according to such as were observed by the Accountant-general of the High Court of Chancery of Great Britain, or as near thereto as might be, and as the situation and circumstances of affairs would admit. And did further thereby authorise the said Mayor's Court to administer oaths and affirmations, and to frame such rules of practice, and nominate and appoint such clerks and officers, and to do all such other things as should be found necessary for the administration of justice, and the due execution of all or any of the powers given to them by the said Charter, so as they from time to time should give an account thereof unto the said company, and so as the same should be subject to the approbation, control, and alteration of the said court of directors of the said company, whom his said late Majesty did

Sequestration to seize the estates and effects of parties absent.

Proceedings in such cases.

Court of directors to appoint accountant-general of Mayor's Court.

Mayor's Court to frame rules of practice, &c.

did likewise will and ordain to have full power and authority to make such rules and orders for the better administration of justice as they should from time to time think fit and necessary, but such rules and orders so to be made by the said Mayor's Court, so far as the same should be repugnant to any rules or orders afterwards made by the said court of directors of the said company as aforesaid, should nevertheless be in force until the same should be revoked or altered by the said court of directors, and notice thereof given unto the said Mayor's Court. And did further thereby require and command, that a table of fees to be allowed to such clerks and officers should be settled by the said Mayor's Court, and approved and signed by the Governor and Council of the said colony for the time being, and should be written out fair, and constantly fixed up in some visible and open part of the room or place where the said court should be held. And that it should be lawful for the said Mayor's Court, with the approbation of the said Governor and Council for the time being, or the major part of them, and also to and for the court of directors of the said company, to vary and alter such table of fees in such manner as they should think fit. And it was further by the said Charter ordained and established, that if any person or persons should think him, her, or themselves aggrieved by any judgment, sentence, or decree of the said Mayor's Court, such person or persons should or might, within 14 days after such judgment, sentence, or decree of the said court should be entered of record, appeal to the Governor and Council of the said colony for the time being, whom, or any two or more (whereof the Governor, or in his absence the senior of the Council then residing at Sierra Leone, to be one), his said late Majesty did thereby, for himself, his heirs and successors, constitute, nominate, and appoint to be a court of record for that purpose, to receive such appeals, and to hear and determine the same, and to do all other acts, matters, and things necessarily incident thereto; provided that if the said Governor and Council should be any ways interested in the event of any such action or suit, no person so interested should sit or act as a judge upon such appeal, but the same should be heard and determined by such of them, the said Governor and Council, as should be no ways interested therein, or any two or more of them. And that in all cases wherein the number of voices should be equal in the determination or judgment upon such appeal, the Governor for the time being, or in his absence the senior of the Council who should be present and not interested, should have two voices, which determination should be final, if the debt, damages, or things directed to be paid, done, or delivered, or matters in dispute, should not exceed the value of 400 *l.*; but in case the same should exceed the value of 400 *l.*, any person or persons who should think him, her, or themselves aggrieved by such judgment, sentence, or decree made on such appeal, should and might, within 14 days after the same should be entered of record, appeal to his said late Majesty, his heirs and successors, in Council (as is usual in case of appeal from any of the colonies in the West Indies), upon giving security to pay interest (not exceeding the rate of interest which should prevail at the time of pronouncing such judgment, sentence, or decree) for the thing adjudged or decreed to be paid, done, or delivered, and the costs of such appeal, in case the said judgment, sentence, or decree should be affirmed. And did further will and direct, that the judgments, sentences, and orders of his said late Majesty, his heirs and successors, and of the said Governor and Council, made upon such appeals respectively, should and might be put in execution by the said Mayor's Court in such manner as an original judgment of the said court should or might have been; and they the said court were thereby required and commanded to execute the same accordingly. And in case the said Mayor's Court should refuse or neglect to cause such judgments, sentences, or orders to be executed within 14 days after application made to them for that purpose, then that it should be lawful for, and the said Governor and Council were thereby required and commanded to execute, or cause the same to be executed, by such ways and means as the said Mayor's Court might have used or employed in executing the same. And did further direct and appoint that there should be within the said town of Freetown a court, which should be called "The Court of Requests for the town of Freetown, and the factories and settlements thereof," and for that purpose willed and required the said Governor and Council, as soon as conveniently might be after the arrival of the said Charter, to nominate and appoint some of the principal inhabitants of the town of Freetown aforesaid, not more than 24, nor fewer than eight, to be commissioners, to hear and determine suits in a summary way, under such rules, orders, and regulations as should

Table of fees to be approved by Governor and Council, and fixed up.

Governor and Council to be a court of record to receive appeals, &c.

Sentence of the same final, unless the amount above 400 *l.*

In that case an appeal to his Majesty in Council.

Judgments, sentences, and orders upon such appeals, to be put in execution by the Mayor's Court.

Court of Requests.

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from time to time be given or sent to them under the hands of the court of directors of the said company, which commissioners, any three or more of them, should have full power and authority to hear and determine all such actions or suits as should be brought before them, where the debt, duty, or matter in dispute should not exceed or be more than the value of 40 *s.*, which commissioners so to be appointed should sit one day in every week, from the hour of nine to eleven in the forenoon, or longer if the business should require, to hear and determine all such causes as shall be brought before them, not exceeding the value aforesaid.

Governor and Council justices of the peace in the colony and its dependencies.

And did further by the said Charter will, ordain, and establish, that the Governor and Council of the said colony for the time being should be justices of the peace, and have power to act as justices of the peace in and for the said town of Freetown, and throughout the said colony of Sierra Leone, and all the factories and settlements subordinate thereto, in the same or the like manner, and with the same or the like powers as justices of the peace, constituted by any commission or letters patent under the Great Seal of Great Britain for any county, city, or town corporate in that part of Great Britain called England, did or might exercise such office.

Governor and Council to hold quarter sessions.

And did further will and provide, that the said Governor and Council for the time being, or any two or more of them (whereof the Governor for the time being, or in his absence the senior of the Council then residing at Sierra Leone, to be one), should and might hold quarter sessions of the peace four times in the year within the district aforesaid, and should at all times thereafter be a court of record, in the nature of a court of oyer and terminer and gaol delivery, and should from time to time, and at all times thereafter, be commissioners of oyer and terminer and gaol delivery, for the trying and punishing of all offenders and offences (high treason only excepted) had, committed, or done, or to be had, committed, or done, within the said town of Freetown, or elsewhere within the said colony of Sierra Leone, and any of the said factories or settlements subordinate thereto; and that it should and might be lawful to and for the said justices of the peace, and commissioners of oyer and terminer and gaol delivery respectively, to proceed by indictment, or by such other ways, and in the same or the like manner as was used in that part of Great Britain called England, as near as the condition and the circumstances of the place and inhabitants would admit of, and for that purpose to issue their warrant or precept to the sheriff of the said district for the time being, commanding him to summon a convenient number of the principal inhabitants within the said district to serve and attend as a grand and petit jury at the said court respectively, and that the said justices of the peace and commissioners of oyer and terminer and gaol delivery respectively, should and might administer to them the usual oath taken in England by grand and petit juries, and also administer to the witnesses who should be produced for or against the party to be tried a proper oath or affirmation, in such manner as they should esteem most binding on their consciences to oblige them to speak the truth; and that the said justices and commissioners should and might respectively proceed to the arraignment, trial, conviction, and punishment of persons accused of any crimes or offences (high treason only excepted), in the same or the like manner and form, as near as the condition and circumstances of the place and inhabitants would admit of, as any justices of the peace, or commissioner of oyer and terminer and gaol delivery in that part of Great Britain called England, usually and legally do, and that the said court might assemble and adjourn at and unto such times and places as they should judge convenient; and did thereby direct that the said Governor should, before the Council there, or the major part of them, take an oath faithfully to execute the said offices of Governor, justice of the peace, and commissioner of oyer and terminer and gaol delivery, together with the oath of allegiance (which oaths they were thereby empowered to administer), and after the taking such oaths, did thereby authorise the said Governor to administer an oath to the Council, faithfully to execute the said offices of Council, justices of the peace, and commissioners of oyer and terminer and gaol delivery, together with the oath of allegiance. And did by the said Charter further ordain, establish, and appoint, that when any person should die within the said town of Freetown, or elsewhere within the said colony of Sierra Leone, or any of the factories or settlements subordinate thereto, and should by his will appoint any person or persons within the said town or colony, or the factories or settlements aforesaid, to be his executor or executors, then and in such case that the said Mayor's Court, upon proof made of the due execution of the said will, should, and the same was thereby authorised and required, to grant probate of the

Mayor's Court to grant probate of wills,

the said will under the seal of the said court (which seal the said court was authorised by the same to use for that and other purposes), whereby the person or persons so named executor or executors should have full power and ample authority to act as such, as touching the debts and estates of his, her, or their testator; and where any person should die within the town or factories, or limits thereof, intestate, or not having appointed some person or persons to be executor or executors residing within the said town, colony, factories, or settlements, that in either of these cases the said Mayor's Court should, and the same was thereby empowered and required to grant letters of administration, or letters of administration with an authentic copy of the will annexed (determinable upon any executor named in such will appearing in court and praying probate thereof), as touching the debts and estate of the person dying intestate, or not naming such executor as aforesaid, that should be or arise within the limits aforesaid to such person or persons, then residing within the jurisdiction of the said court, as should be next of kin to the person so dying, or his residuary legatee, and in case there should be no such person within the said jurisdiction, then to the principal creditor of the person so dying, and for want of any creditor appearing, then to such other person or persons as should be thought proper by the said court, every such person or persons to whom such administration should be granted first giving security by bond (respect being had to the value of the estate) to the mayor of the said town, with condition in the form usually given in courts ecclesiastical within that part of Great Britain called England, or as near thereto as the nature and circumstances of the case would admit. And that such person or persons to whom administration should be so granted, should and might act in all respects as administrator or administrators, touching the debts, effects, and estates of such person or persons to whom he, she, or they should take out administration as aforesaid, which should be or arise within the said limits. And whereas, in pursuance and by virtue and authority of the said Letters Patent, such Governor and Council, Mayor's Court, and such other courts and officers as are therein mentioned were fully constituted, elected, and appointed within the said colony of Sierra Leone, and entered upon and thenceforward exercised the various jurisdictions and authorities, offices and functions, respectively granted to and vested in them in and by the said Charter; and divers laws and statutes, and ordinances fit and necessary for and concerning the government of the said colony, and not repugnant to the laws and statutes of this realm, were from time to time made, enacted, and declared, as well by the said Governor and Council as by the said court of directors of the said company; and divers rules and orders for the better administration of justice were also from time to time made by the said Mayor's Court, in further pursuance of the said Charter. And whereas, by an Act of Parliament, passed in the forty-seventh year of the reign of his late Majesty, intituled, "An Act for transferring to his Majesty certain Possessions and Rights vested in the Sierra Leone Company, and for shortening the Duration of the said Company, and for preventing any dealing or trafficking in the buying or selling of Slaves within the Colony of Sierra Leone," reciting the said Act of Parliament herein first recited, and in part reciting or mentioning the said Letters Patent hereinbefore recited; and further reciting that the said company, convinced of the expediency of relinquishing the government and management of the said colony, had expressed a desire to make, and had humbly entreated his said late Majesty to accept a surrender to his said late Majesty of all the tract or district of land granted to them by the said Letters Patent or Charter of Justice, or of which the said company were possessed, or which they did then enjoy by purchase or otherwise, in addition to the said lands so granted as aforesaid to the said company. And that they were further desirous that their existence as a body politic and corporate should cease and determine within such period of time shorter than that limited and declared in and by the said first herein-recited statute as was deemed by the said company sufficient for them in which to settle their affairs. And whereas, for confirming and giving effect to such intended surrender, and for limiting the duration of the said company, it was, in and by the said now recited Act, enacted, that the said Letters Patent or Charter of Justice, and grant therein mentioned and hereinbefore recited, and every matter, clause, and thing therein contained, should, and the same were thereby declared to be thenceforth null and void. And that the said company should be, and they were thereby divested of and from all that tract or district of land commonly called and known by the name

And letters of administration.

Transfer of the colony to the Crown.

Sierra Leone Company's Charter annulled.

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or description of the Peninsula of Sierra Leone, and of all and from all forts, castles, buildings, or estate, which had been after purchased or otherwise acquired by the said company in addition thereto, or which then were possessed or claimed by the said company in or about the said peninsula, and that the said tract or district of land, and all forts, castles, buildings, or estate so purchased or otherwise acquired, possessed, enjoyed, or claimed by the said company, should thenceforth be, and the same and every of them were and was thereby declared and enacted to be fully and absolutely vested in his said late Majesty, his heirs, and successors, for ever. AND WHEREAS it was in the said Act now in recital further enacted, that at the expiration of seven years from and after the passing of the said Act, the said Sierra Leone Company should cease to be a body politic and corporate, to all intents, constructions, and purposes whatsoever, anything in the said herein first-recited Act to the contrary thereof in any wise notwithstanding: Provided always, and it was thereby further enacted, that it should not be lawful for any person or persons whatsoever, inhabiting or being, or who should at any time thereafter inhabit or be, within the said peninsula or colony of Sierra Leone, either directly or indirectly, to deal or traffic in, buy or sell, or to be aiding or assisting in the dealing or trafficking in, the buying or selling of slaves, either within the said peninsula or elsewhere. AND WHEREAS, in pursuance of the said Act of Parliament last recited, the said company did, on or about the 27th day of July, in the forty-eighth year of the reign of his said late Majesty, actually and fully surrender to the Governor for the time being of the said colony, by his said late Majesty in that behalf appointed and authorised, the possession of the said colony or peninsula, tract or district of land, and all forts, castles, buildings, and estate which, by the true intent and meaning of the said last-recited Act of Parliament, ought to have been so surrendered, and the same were thenceforth in the possession and under the government of his said late Majesty. AND WHEREAS, it being necessary to provide for the immediate government and administration of justice within the said colony, his said late Majesty did, soon after the passing of the said Act, transmit instructions to the said Governor thereof for the time being, directing him to continue, in all respects, the administration of justice and the interior government of the said colony, according to the provisions and directions, powers and authorities contained in the said in part recited Letters Patent or Charter of Justice, as if the same were still in force. And the said Governor and Council, Mayor's Court, and other courts, so constituted and appointed as aforesaid, and the councillors, judges, and officers thereof respectively, and other judges and officers subsequently elected and appointed, pursuant to the directions of the said Charter, did accordingly continue to exercise their former jurisdictions, functions, and authorities, and divers proceedings, as well judicial as ministerial, were had by and before them, and judgments given, and decrees or orders made in the said courts, and wills proved and administrations granted in the said Mayor's Court, pursuant to the provisions of the said Charter: all which acts and proceedings, subsequent to the annulling of the said Letters Patent or Charter of Justice, it was deemed expedient to ratify and confirm. AND WHEREAS it was his said late Majesty's royal will and pleasure, that, for the better administration of justice within the said colony, a chief justice thereof should from time to time be appointed during pleasure, who should have such jurisdictions and authorities as are hereinafter mentioned, and who should also be judge of a court of vice-admiralty, by his said late Majesty then lately constituted for the said colony, with such jurisdictions as then belonged to courts of vice-admiralty in the West India islands in general, and should be judge also of a court of prize, with such limited jurisdiction therein as his said late Majesty thought fit to grant by his prize commission in that behalf; but that in all other respects the laws and constitution of the said colony, and all the judicial and municipal authorities therein, should, during his Royal will and pleasure, continue such as they were constituted and appointed to be by the said recited Letters Patent or Charter of Justice, or under the authority thereof, as far as the said surrender made to his said late Majesty by the said company, and other the changes of circumstances would allow. AND WHEREAS his said late Majesty, in order to provide for the then future government of the said colony or peninsula of Sierra Leone, and all territories thereon depending in Africa, and for the administration of justice therein, did, by Letters Patent under the Great Seal of Great Britain, bearing date at Westminster the 9th day of August, in the forty-ninth year of his reign, direct, that the person

Lands, &c. vested in his Majesty, his heirs and successors.

Company to cease at expiration of seven years.

Inhabitants not to deal in slaves.

Surrender to Governor Ludlam, 27th July 1808.

Instructions for authorities to continue as before.

Their acts ratified.

Chief justice appointed.

Judge of Vice-Admiralty.

Other laws and authorities to remain.

Governor to take oaths.

person appointed, or to be appointed, Captain-general or Governor-in-chief of the said colony after the publication of the said Letters Patent, should in the first place take the oaths appointed to be taken by an Act passed in the first year of the reign of King George the First, intituled, "An Act for the further Security of his Majesty's Person and government, and the Succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, and for extinguishing the Hopes of the pretended Prince of Wales, and his open and secret Abettors," as altered and explained by an Act passed in the sixth year of his reign, intituled, "An Act for altering the Oath of Abjuration and the Assurance, and for amending so much of an Act of the seventh year of her late Majesty Queen Anne, intituled, 'An Act for the Improvement of the Union of the two Kingdoms, as after the time therein limited requires the delivery of certain Lists and Copies therein mentioned to Persons indicted of High Treason, or Misprision of Treason.'" And should also make and subscribe the declaration mentioned in an Act of Parliament, made in the twenty-fifth year of the reign of King Charles the Second, intituled, "An Act for preventing Dangers which may happen from Popish Recusants;" and should likewise take the oath usually taken by the Governors in his Majesty's plantations, for the due execution of the office and trust of Captain-general and Governor-in-chief in and over the said colony or peninsula of Sierra Leone, and the territories depending thereon, and for the due and impartial administration of justice. And further should take the oath required to be taken by Governors of plantations, to do their utmost that the several laws relating to trade and the plantations be duly observed, which said oaths and declarations the Council of the said colony, or any two members thereof, were thereby empowered and required to tender and administer unto him, and in his absence to the Lieutenant-governor, if any in the place, or if none, to such person to whom the administration of the government was committed, in manner as thereinafter provided, which being performed, that the said Governor should administer to the Chief Justice, therein nominated and appointed during pleasure, and the other members of the Council of the said colony, as also to the Lieutenant-governor, if any in the place, the oaths mentioned in the first-recited Act of Parliament, altered as above, as also should cause them to make and subscribe the aforesaid declaration, and administer to them the several oaths for the due execution of their places and trusts. And did further give and grant unto the said Governor full power and authority, from time to time, and at any time thereafter, by himself, or by any other to be authorised by him in that behalf, to administer the oath mentioned in the said first-recited Act, altered as above, to all and every such person or persons as he should think fit, who should at any time pass into the said colony of Sierra Leone, or any of the factories or settlements within his government, or should be resident or abiding there; and that the said Governor should have full power and authority to suspend any member of the Council of the said colony from sitting, voting, or assisting therein, if he should find just cause for so doing, and if there should be any Lieutenant-governor, him likewise to suspend from the execution of his command, and to appoint another in his stead, until his said Majesty's pleasure should be known. And did further by the said Letters Patent ordain, will, and direct that the Governor, or in his absence the Lieutenant-governor or Commander-in-chief for the time being of the said colony, together with the Council of the said colony, or the major part thereof, should have full power and authority to make, enact, and ordain laws, statutes, and ordinances for the peace, welfare, and good government of the said colony, so as such laws, statutes, and ordinances were not repugnant to the laws and statutes of this realm, but as near as might be agreeable thereto, provided that all such laws, statutes, and ordinances, of what nature or duration soever, were within six months or sooner, after the making thereof, transmitted by the Governor, Lieutenant-governor, or other Commander-in-chief of the said colony for the time being, unto his said late Majesty, for his approbation or disallowance of the same, as also duplicates thereof by the next conveyance. And in case all or any of the said laws, statutes, and ordinances, being not before confirmed by his said late Majesty, should at any time be disapproved and disallowed by his said late Majesty, his heirs and successors, and it should be so signified under his or their sign manual and signet, or by order of his or their Privy Council, unto the Governor or Lieutenant-governor, or other Commander-in-chief of the said colony for the time being, then that such and so many of the said laws, statutes,

1 Geo. 1.

6 Geo. 1.

7 Anne.

25 Car. 2.

Oaths of office.

Plantation oaths.

Council to administer oaths.

Chief Justice and Council to take the oaths.

Authority to administer oaths to residents and others.

Governor to have authority to suspend members of Council and Lieutenant-governor.

Governor and Council to make laws.

Not repugnant to the laws of England.

To be transmitted in six months.

If disapproved to be void.

and ordinances as should be so disapproved and disallowed, should from thenceforth cease, determine, and become utterly void and of none effect, anything therein or in the said Letters Patent contained to the contrary thereof notwithstanding; provided always, that nothing contained in the said Letters Patent should authorise or empower the said Governor and Council to impose any taxes or duties within the said colony, except such as might thereafter be found necessary for making roads, erecting and repairing public buildings, or other purposes of local convenience and economy, and for the interior welfare of the said colony: provided also, that no law, statute, or ordinance whereby any punishment might be inflicted greater than a fine or imprisonment for three months should be of any force or effect until the same should receive his said late Majesty's approbation. And did by the said Letters Patent further will and establish, that all laws, statutes, and ordinances which then or immediately prior to the annulling the said Letters Patent or Charter of Justice, therein and hereinbefore in great part recited, were in force within the said colony, whether ordained and made by the said Charter or in execution of any authority thereby granted, or otherwise howsoever, should be and continue of the same force and effect in the said colony as if the said Charter had not been annulled and made void, except so far as the same related to the territorial or other rights and interests of the said Sierra Leone Company, and to the government, administration, jurisdiction, and authority of the said company in and over the said colony under the said Charter, until such laws, statutes, and ordinances should be expressly repealed or varied by some law, statute, or ordinance to be made by the Governor, Lieutenant-governor, or Commander-in-chief for the time being of the said colony and the Council of the same, pursuant to the powers vested in them by the Letters Patent now in recital. And that all judgments, decrees, sentences, orders, probates of wills, grants of letters of administration, and other judicial or ministerial acts and proceedings, made, passed, or had subsequent to the annulling of the said Charter, and before the publication of the Letters Patent now in recital in the said colony, should be, and be deemed and taken to be, of the same force and validity as if the said Charter had not been annulled or repealed, but still continued in force. And did further ordain, will, and direct that the Governor, or in his absence the Lieutenant-governor, or other Commander-in-chief of the said colony for the time being, and the Council of the same, should have, use, exercise, and enjoy all and singular the offices, jurisdictions, powers, and authorities within the said colony which, in and by the said Charter therein and herein recited, were given and granted to the Governor and Council, which the court of directors of the said Sierra Leone Company were thereby empowered to constitute and appoint, save and except as was otherwise directed or provided in and by the said letters patent now in recital. And did further thereby give, grant, and appoint that there should be within the said town of Freetown a body politic and corporate, by the name and style of the Mayor and Aldermen of Freetown. And that such body politic and corporate should consist of a mayor and three aldermen, and should have perpetual succession, and should and might be able and capable in law to sue and be sued in any courts and causes whatsoever, and should have a common seal for the business and affairs of the said corporation, which common seal they and their successors might break and change at their pleasure. And that the persons bearing the offices of mayor and aldermen of Freetown at the time of the publication of the Letters Patent now in recital, by virtue of an election or appointment made under and by authority of the said annulled Charter, though since the same was annulled, should be and continue respectively mayor and aldermen of Freetown, upon the conditions and under the limitations contained in the said Charter. And that all the regulations and provisions contained in the said Charter in respect to the annual election of the mayor and the determination of his office and that of the aldermen, and the filling up their places when vacant by death, absence, or removal, should be observed and carried into execution in respect to the said mayor and aldermen constituted by the Letters Patent now in recital, as fully as if the same had been therein repeated. And did further will and ordain that the person bearing the office of sheriff at the publication of the Letters Patent now in recital, by virtue of any election or appointment made under and by authority of the said annulled Charter, should notwithstanding retain such office until the time appointed in the said Charter for the annual determination of such office, to act until the 29th day of September then next ensuing, and should then be succeeded by

Not authorised to impose taxes or duties, except for special purposes.

All former laws, statutes, and ordinances to remain in force.

Until expressly repealed by Governor and Council.

Mayor and aldermen of Freetown.

Sheriff.

by a new sheriff, to be elected and appointed by the Governor and Council of the said colony, at the time and in manner and form as directed by the said Charter, and that the Governor and Council of the said colony should have the same powers of electing and appointing the sheriff as were, in and by the said annulled Charter, given to the Governor and Council appointed by the said Sierra Leone company and its directors. And did further direct, that the said sheriff so appointed, or to be appointed as aforesaid, should execute and perform all such or the like offices and duties, and have, possess, and exercise all such or the like powers and authorities as the sheriff appointed under the said annulled Charter while the same remained in force. And did further by the said Letters Patent will and appoint, that the chief justice of the said colony, during his continuance in his said office, and his successors, the chief justices of the said colony, should be recorders of Freetown, and, with the mayor and aldermen of Freetown for the time being, should be, and they were thereby constituted, a court of record, by the name of "The Court of the Recorder of Freetown;" and that the said court should have, use, and exercise the like jurisdictions, powers, and authorities in all respects within the said colony of Sierra Leone, in like cases and between the like persons and parties as might have been had, used, and exercised by the said Mayor's Court of Freetown, under and by virtue of the said therein and hereinbefore recited Charter of Justice, while the same remained in full force and virtue, except only where it was otherwise therein expressly declared or provided. And that the said Court of the Recorder of Freetown should also proceed in the same manner and form, and subject to the same rules, as to trial by jury and otherwise, and to the same remedy or right of appeal as were in the said therein and hereinbefore recited Charter directed and provided in respect of the said Mayor's Court of Freetown, except as aforesaid. And that all rules of practice made by the said Mayor's Court of Freetown, and then or at the time of the annulling of the said Charter remaining in force, should be observed and followed in and by the said Court of the Recorder of Freetown, until, by the authority of that court, the same should be varied or repealed: provided always, and it was thereby further ordained and directed, that the said chief justice and recorder should preside in the said court, which should be held before him and the mayor and aldermen of Freetown for the time being, or three of them at least; that is to say, either the mayor and two of the said aldermen, or the three aldermen, except when such chief justice and recorder was a party to or interested in any suit, action, or proceeding depending in the said court, in which case it was provided that such suit, action, or proceeding should be adjudged, tried, and determined by the mayor and aldermen alone, the mayor presiding; and if two or more of the said judges should be parties to or interested in any such suit, action, or proceeding, then that the remaining judges of the said court should and might adjudge, try, or determine the same, the senior alderman presiding, when the chief justice and recorder and mayor should be both, for the reason aforesaid, incompetent to sit. Provided further, that in case of the death, absence, or long incapacity by sickness of the chief justice and recorder, the Governor, Lieutenant-governor, or other Commander-in-chief of the said colony for the time being, should and might appoint the most competent and proper person within the colony to act as chief justice and recorder during such absence or incapacity, or in the case of death, until a successor should be appointed by his said late Majesty, and should enter on the duties of the said office, which acting chief justice and recorder should be competent to preside in the said court, and to exercise all the jurisdictions, offices, functions, and authorities of the said chief justice and recorder, until superseded by his return or his becoming again capable, or by such new appointment as aforesaid: provided also, that in case any difference in opinion between the judges of the said court, touching the giving of any judgment or sentence, or the decision of any question depending before them, the majority should determine. And further, that when opinions should be equally divided, the chief justice and recorder, or the judge presiding in his stead, should have a double or casting voice; and did further direct and appoint, that from and after the publication of the said Letters Patent in the said colony at the period thereinafter appointed, the authority and functions of the said Mayor's Court of Freetown should cease and determine to be thenceforth assumed and exercised by the said Court of the Recorder of Freetown. And that all actions, suits, and proceedings then depending in the said Mayor's Court of Freetown should be respectively transferred in their then present condition to, and subsist and depend respectively, and to be prosecuted, tried,

"The Court of the Recorder of Freetown," with powers as former Mayor's Court.

Chief justice and recorder to preside.

How to act when members of the court are parties in actions.

Governor to appoint an acting chief justice and recorder in case of death or absence.

tried, and determined respectively in the said Court of the Recorder of Freetown, just as if the same had been commenced respectively in the said last-mentioned court. And that all records, muniments, and proceedings whatsoever of or belonging to the said Mayor's Court of Freetown, should be delivered over to and deposited with the records of the said Court of the Recorder of Freetown. And that from and after the same period, the said Court of the Recorder of Freetown should have and exercise such and the same jurisdictions, powers, and authorities to grant probates of wills and letters of administration, as were theretofore had and exercised by the said Mayor's Court of Freetown, pursuant to the said annulled Charter. And did further will and appoint, that the Governor, Lieutenant-governor, or other Commander-in-chief, and Council for the time being of the said colony, should nominate and appoint a proper person to be accountant-general of the said Court of the Recorder of Freetown, who should execute and perform the same offices, trusts, matters, and things as the accountant-general of the said Mayor's Court of Freetown was directed and empowered to execute and perform by the said annulled Charter, therein and hereinbefore recited, (save and except as to the direction and control of the court of directors of the Sierra Leone Company,) subject to the orders of the said Court of the Recorder of Freetown, and to such directions in respect to the investment or security of the money belonging to the suitors of the said court, and the securing and accounting for the same, as might be given from time to time by the said Governor, Lieutenant-governor, or other Commander-in-chief, and Council of the said colony for the time being, or by his said late Majesty in his Privy Council. And did further thereby will and establish, that the Governor, Lieutenant-governor, or other Commander-in-chief, and Council of the said colony for the time being, should be, and they were thereby constituted a court of record to receive, hear, and determine appeals from the said Court of the Recorder of Freetown, in the like cases, and subject to the like limitations, and rules, and directions as to their proceeding therein, and subject also to the like right of appeal from their judgment, sentence, or decree, to his said late Majesty in his Privy Council, when the debt, damages, or thing or matter in dispute, should exceed the value of 400*l.*, and upon the like condition as to security to be thereupon given by the appellant, as were in and by the said annulled Charter directed and provided in respect of appeals to the Governor and Council appointed by the said Sierra Leone Company, or its directors, and from them to his said late Majesty in his Privy Council, respectively. And did further thereby ordain, will, and establish, that there should be within the said town of Freetown a court, which should be called "The Court of Requests for the colony of Sierra Leone," and which should have and exercise such and the same jurisdiction, power, and authority in all actions and suits brought before them, where the debt, duty, or matter in dispute should not exceed the value of 40*s.*, in the same way, and subject to the same rules and regulations, as were in and by the said recited Letters Patent, or Charter of Justice, mentioned, contained, and provided in respect of the Court of Requests thereby constituted. And did further ordain and appoint that the Governor, Lieutenant-governor, or Commander-in-chief, and the Members of the Council of the said colony for the time being, should be, and the same were thereby constituted and appointed to be, justices of the peace in and for the said town of Freetown, throughout the said colony of Sierra Leone, and all the territories dependent thereon, with all such and the same jurisdictions, powers, and authorities as lawfully could or might be exercised by justices of the peace duly constituted by his said late Majesty in that part of his United Kingdom called England, within the county, city, or town corporate for which they were so constituted, so far as the laws of this realm were applicable to and in force in the said colony. And did further ordain, will, and establish, that the chief justice, and other members of Council of the said colony for the time being (without the Governor, Lieutenant-governor, or Commander-in-chief), should and might hold quarter sessions of the peace four times in the year within the said colony, and should from time to time, and at all times thereafter, be commissioners of oyer and terminer and gaol delivery for the trying of all crimes and misdemeanors had, committed, or done, or to be had, committed, or done, within the said town of Freetown or elsewhere within the said colony of Sierra Leone, or any territory dependent thereon; and that it should and might be lawful to and for the said justices of the peace, and commissioners of oyer and terminer and gaol delivery respectively, to proceed

Court of the Recorder to have and exercise same jurisdictions, powers, &c. as Mayor's Court.

Governor and Council to appoint accountant-general of the Recorder's Court.

Governor and Council to be a court of record, to hear and determine appeals, &c.

Court of Requests for the colony of Sierra Leone.

Governor and Council justices of the peace.

The chief justice and other members of Council to hold quarter sessions, and to be commissioners of oyer and terminer.

proceed by indictment, or by such other ways and means, and in the same or like manner as were used in that part of the United Kingdom called England, as near as the condition and circumstances of the said colony, and the inhabitants thereof, would admit of. And for those purposes, to issue their warrants or precepts to the sheriff of the said colony for the time being, commanding him to summon a convenient number of the principal inhabitants within the said colony to serve and attend as grand and petit jurors at the said courts respectively, and that the said justices of the peace, and commissioners of oyer and terminer and gaol delivery, respectively, should and might administer to such jurors the oaths usually taken in England by grand and petit jurors respectively. And also should and might administer a proper oath or affirmation to the witnesses who should be produced for or against the party accused. And that the said justices and commissioners should and might respectively proceed to the arraignment, trial, conviction, and punishment of persons accused of any crimes or offences, in the same or the like manner and form, as near as the condition and circumstances of the place and inhabitants would admit of, as any justices of the peace or commissioners of oyer and terminer and gaol delivery usually and lawfully do within that part of the United Kingdom called England. And that the said courts might assemble and adjourn at and to such times and places as they might judge convenient. And did further direct and appoint, that as well the said justices of the peace, and commissioners of oyer and terminer and gaol delivery, as the said chief justice and recorder, and other judges of the said Court of the Recorder of Freetown, should, prior to their entering upon the execution of their said respective offices, take an oath before the Governor, Lieutenant-governor, or Commander-in-chief, and Council for the time being, faithfully to execute their said respective offices, together with the oath of allegiance, which oaths the said Governor, Lieutenant-governor, or Commander-in-chief, and Council for the time being, were thereby empowered to administer. And did further by the said Letters Patent give and grant unto the Governor of the said colony for the time being full power and authority, from time to time, to constitute and appoint all such officers and ministers as might be necessary in the said colony for the better administration of justice and putting the laws in execution, and for whose appointment his said late Majesty had not otherwise therein provided, and to administer, or cause to be administered to them, the usual oath or oaths for the due execution of their respective offices. And did thereby further give and grant unto the said Governor full power and authority, when he should see cause, or should judge any offender or offenders in criminal matters, or for any fines or forfeitures due unto his said late Majesty, fit objects of his mercy, to pardon all such offenders, and to remit all such offences, fines, and forfeitures (treason and wilful murder only excepted), and that in such cases he should have power, upon extraordinary occasions, to grant reprieves to the offenders, until and to the intent that his said late Majesty's pleasure might be known therein. And did further authorise and empower the said Governor to collate any person or persons to any churches, chapels, or ecclesiastical benefices within the said colony, as often as any of them should happen to be void. And did further give and grant unto the said Governor, by himself, or by his captains and commanders by him to be authorised, full power and authority to levy, arm, muster, command, and employ all persons whatsoever residing within the said colony, and the territories depending thereon, and as occasion should demand, to march them from one place to another, or to embark them for the resisting and withstanding of all enemies, pirates, and rebels, both at sea and land, and such enemies, pirates, and rebels, if there should be occasion, to pursue and prosecute in or out of the limits of the said colony, and if it should so please God them to vanquish, apprehend, and take, and being taken, either according to law to put to death, or to keep and preserve alive at his discretion; and to execute martial law in time of invasion, war, or other times when by law it might be executed, and to do and execute all and every other thing and things which to the Captain-general and Governor-in-chief of the said colony did, or of right should, belong. And did further give and grant unto the said Governor full power and authority, by and with the advice and consent of the said Council, to erect, raise, and build in the said colony of Sierra Leone, and the territories depending thereon, such and so many forts and platforms, castles, cities, boroughs, towns, and fortifications, as he, by the advice aforesaid, should judge necessary, and the same, or any of them, to fortify and

To issue their precepts to sheriff.

To administer oaths.

Commissioners of oyer and terminer and recorder to take the oath of office before the Governor and Council.

Governor to appoint all officers and ministers for the administration of justice, &c.

Governor to pardon offenders, remit fines, &c. when he shall see cause.

To collate to churches.

To levy, arm, and employ all persons residing in the colony, as occasion should demand.

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furnish with ordnance, ammunition, and all sorts of arms fit and necessary for the security and defence of the said colony, and by the advice aforesaid, the same again, or any of them, to demolish or dismantle as might be most convenient. And forasmuch as divers mutinies and disorders might happen by persons shipped and employed at sea during the time of war, and to the end that such as should be shipped and employed at sea during the time of war might be better governed and ordered, his said late Majesty did, by the said Letters Patent, give and grant unto the said Governor of the said colony full power and authority to constitute and appoint captains, lieutenants, masters of ships, and other commanders and officers, and to grant such captains, lieutenants, masters of ships, and other commanders and officers, commissions to execute the law martial during the time of war, according to the directions of an Act passed in the 22d year of the reign of his late Majesty King George the Second, intituled, "An Act for amending, explaining, and reducing into one Act of Parliament the Laws relating to the Government of his Majesty's Ships, Vessels, and Forces by Sea," as the same is altered by an Act passed in the nineteenth year of the reign of his said late Majesty King George the Third, our Royal Father, intituled, "An Act to explain and amend an Act made in the twenty-second year of the reign of his late Majesty King George the Second, intituled 'An Act for amending, explaining, and reducing into one Act of Parliament the Laws relating to the Government of his Majesty's Ships, Vessels, and Forces by Sea,'" and to use such proceedings, authorities, punishments, corrections and executions, upon any offender or offenders who should be mutinous, seditious, disorderly, or any way unruly, either at sea, or during the time of their abode and residence in any of the ports, harbours, or bays of the said colony, as the case shall be found to require, according to martial law, and the said directions during the time of war as aforesaid; provided that nothing therein contained should be construed to the enabling of him, or of any by his authority, to hold plea, or to have any jurisdiction of any offence, cause, matter, or thing committed or done upon the high sea, or within any of the havens, rivers, or creeks of the said colony and territories under his government, by any captain, lieutenant, commander, master, officer, seaman, soldier, or other person whatsoever, who should be in his said late Majesty's actual service and pay in or on board of any ship of war, or other vessel acting by immediate commission or warrant from his Commissioners for executing the office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, or from the Lord High Admiral for the time being, under the seal of the Admiralty, but that such captain, commander, lieutenant, master, officer, seaman, soldier, or other person so offending, should be left to be proceeded against, and tried as their offences should require, either by commission under the Great Seal of the United Kingdom of Great Britain and Ireland, pursuant to the statute of the twenty-eighth of Henry the Eighth, or by commission from the said Commissioners for executing the office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, or from the Lord High Admiral for the time being, according to the aforementioned Act, intituled, "An Act for amending, explaining, and reducing into one Act of Parliament the Laws relating to the Government of His Majesty's Ships, Vessels, and Forces by Sea," as altered and amended by the said Act passed in the nineteenth year of the reign of his said late Majesty, and not otherwise. Provided nevertheless, that all offences and misdemeanors committed on shore by any captain, commander, lieutenant, master, officer, seaman, soldier, or other person whatsoever belonging to any ship of war, or other vessel acting by immediate commission or warrant from the said Commissioners or Lord High Admiral for the time being as aforesaid, might be tried and punished according to the laws of the place where any such offences or misdemeanors should be so committed on shore, notwithstanding such offenders were in his said late Majesty's actual service, and borne in his pay on board any such ship of war, or other vessel acting by immediate commission or warrant from the said Commissioners or Lord High Admiral for the time being as aforesaid, so that such offender should receive no protection for the avoiding of justice for such offences so committed on shore, from any pretence of his being employed in his said late Majesty's service at sea. And did further will and appoint, that all public monies which should be raised by any law, statute, or ordinance to be thereafter made within the said colony, should be issued out by warrant from the said Governor, by and with the advice and consent of the Council of the said colony, and disposed of for the purpose

Power of the Governor to appoint captains, lieutenants, and masters of ships, under 22 Geo. 2.

And 19 Geo. 3.

Public monies raised within the colony to be issued by warrant from the Governor and Council.

purpose directed and appointed by such law, statute, or ordinance, and not otherwise. And did further give and grant unto the said Governor full power and authority, by and with the advice and consent of the said Council, to settle and agree with the inhabitants of the said colony for such lands, tenements, and hereditaments as then were, or thereafter should be, in his said late Majesty's power to dispose of, and them to grant to any person or persons upon such terms, and under such moderate quit-rents, services, and acknowledgments to be thereupon reserved unto his said late Majesty as he the said Governor, by and with the advice aforesaid, should think fit; which said grants were directed to pass and be sealed by the seal of the said colony, and being entered upon record by such officer or officers as were or should be appointed thereunto, were declared to be good and effectual in law against his said late Majesty, his heirs and successors. Provided always, and it was thereby further ordained, that no grant, lease, or demise, at any time theretofore made by or under the authority of the said Sierra Leone Company, prior to the said surrender to his said late Majesty of their territorial rights and interest in the said colony and its dependencies, pursuant to the Act of Parliament aforesaid, whether the same were by deed or writing or by parole only, should be in any manner impeached or avoided, but that the same should be and be taken to be as valid and effectual, to all intents and purposes, against his said late Majesty, his heirs and successors, as if the said surrender, pursuant to the said Act of Parliament therein and hereinbefore recited, had not been made; and that all such grants, leases, and demises of lands or tenements within the said colony should be confirmed by the said Governor, under the seal of the said colony, if the grantees, lessees, or parties beneficially interested therein, should apply for and request such confirmations. And did further give and grant unto the said Governor full power and authority to order and appoint fairs, marts, and markets, and also such and so many ports, harbours, bays, havens, and other places for the convenience and security of shipping, and for the better loading and unloading of goods and merchandize in such and so many places as by him, by and with the advice of the said Council, should be thought fit and necessary. And did further require and command all officers and ministers, civil and military, and all other inhabitants of the said colony, and the territories dependent thereon, to be obedient, aiding, and assisting unto the said Governor in the execution of the several powers and authorities in the said Letters Patent contained; and in case of his death or absence out of the said colony, and the territories dependent thereon, to be obedient, aiding, and assisting unto such person as should be appointed by his said late Majesty Lieutenant-governor or Commander-in-chief of the said colony for the time being, to whom his said late Majesty did by the same give and grant all and singular the powers and authorities therein granted to the Governor of the said colony, to be by him executed and enjoyed during pleasure, or until the arrival of the Governor within the said colony; and if, upon the death or absence of the Governor from the said colony and territories dependent thereon, there was no person in the place commissioned by his said Majesty to be Lieutenant-governor or Commander-in-chief of the said colony, then that the member of Council next in seniority to the Chief Justice for the time being (to which Chief Justice his said late Majesty did, by the said Letters Patent, grant rank and precedency above and before all subjects whomsoever in the said colony, the Governor, Lieutenant-governor, or other Commander-in-chief of the said colony for the time being only excepted. And that the said Chief Justice should be a member of Council by virtue of his office, and preside therein in the absence of the Governor or Lieutenant-governor; provided always, that he should in no case succeed to the chief command of the said colony), who should be resident within the said colony, should take upon him the administration of the government of the said colony, and execute the several powers and authorities contained in the said Letters Patent, until the return of the said Governor, if absent from the said colony, or until, in case of the death of the said Governor, his said late Majesty's further pleasure were known therein. And whereas, by an Act of Parliament, made and passed in the first and second year of our reign, intituled, "An Act for abolishing the African Company, and transferring to and vesting in his Majesty all the Forts, Possessions, and Property now belonging to or held by them," it was among other things enacted, that from and after the 3d day of July 1821, the said corporation of the company of merchants trading to

Governor and Council to grant lands.

Grants to pass, and be sealed with the seal of the colony.

Grants of Sierra Leone company to be confirmed.

Governor and Council to appoint fairs, markets, ports, havens, &c.

All officers, civil and military, and other persons, to obey, aid, and assist the Governor, or, in his absence, the Lieutenant-governor, or Commander-in-chief.

In the absence of a Governor or Lieutenant-governor, the member of Council next to the Chief Justice to administer the government.

Precedence of Chief Justice.

Provisions of the present Charter.

1 & 2 Geo. 4.

African Company abolished from 3d July 1821.

to Africa should wholly cease and determine and be abolished, and the said company of merchants trading to Africa should no longer be, or be deemed to be, a body politic or corporate, and that all grants made to the said company, by or under or in pursuance of certain therein recited Acts of Parliament, or any or either of them, or in pursuance of anything therein contained, should, and the same were thereby declared to be thenceforth null and void, and that the said company should be, and the said company were thereby divested of and from all forts, castles, buildings, possessions, or estate or rights which were given to the said company, by or under, or in pursuance of the said therein recited Acts, or any or either of them, or which had been since purchased, or otherwise acquired by the said company in addition thereto, or which then were possessed or claimed or held by the said company on the said coast; and that the said forts, castles, buildings, possessions, estate, and rights so acquired, possessed, enjoyed, or claimed, or then held by the said company, should thenceforth be, and the same and every of them were and were thereby declared and enacted to be fully and absolutely vested in us, our heirs and successors, for ever. AND WHEREAS it was further enacted in and by the said Act of Parliament, that from and after the passing of that Act it should and might be lawful for us to order and direct, that all or any of the forts and possessions therein and hereinbefore mentioned, and also any territories, islands, or possessions on the West Coast of Africa, between the 20th degree of north latitude and the 20th degree of south latitude, which then did, or at any time thereafter should or might belong to us, should be annexed to or made dependencies on the colony of Sierra Leone; and that from the date of their being so annexed or made dependencies on the said colony, they should be subject to all such laws, statutes, and ordinances as should be in force in the said colony, or as should, at any time thereafter, be made, enacted, or ordained by the Governor and Council of the said colony, and should not be disallowed by us, in the same manner as if the said forts, possessions, territories, or islands had originally formed part of the said colony of Sierra Leone. Now KNOW YE, that we, having considered the premises, and being willing and desirous to provide for the future good government, as well of the said forts and possessions so heretofore acquired, purchased, enjoyed, claimed, or held by the said African Company, as of all and every other the territories, islands, or possessions on the West Coast of Africa, between the 20th degree of north latitude and the 20th degree of south latitude, which now do, or at any time hereafter shall or may belong to us, our heirs and successors, do by these presents, by virtue and in pursuance of the said recited Act, and of our special grace, certain knowledge, and mere motion, order, direct, and appoint, that all and every of the said forts and possessions so heretofore acquired, purchased, enjoyed, claimed, or held by the said African Company, and also all territories, islands, and possessions which now do, or at any time hereafter shall or may belong to us, our heirs and successors, on the West Coast of Africa, between the 20th degree of north latitude and the 20th degree of south latitude, shall be annexed to and made dependenices on, and the same are hereby annexed to and made dependeneies on the said colony of Sierra Leone. And that from the publication of these presents in the said colony of Sierra Leone, as hereinafter directed, the same shall be and they are hereby made subject to all such laws, statutes, and ordinances as shall be in force in our said colony, or as shall at any time hereafter be made, enacted, or ordained by the Governor and Council of the said colony, and shall not be disallowed by us, our heirs and successors, in the same manner as if the said forts, possessions, territories, or islands had originally formed part of the said colony of Sierra Leone. And we do further by these presents, for us, our heirs and successors, will, establish, and ordain, that from and after the publication of these presents, there shall be nine or more councillors advising and assisting to our Governor of our said colony of Sierra Leone for the time being. And we do by these presents nominate, make, ordain, and constitute our trusty and well-beloved Edward Fitzgerald, our Chief Justice, or our Chief Justice of our said colony for the time being; our trusty and well-beloved Daniel Molloy Hamilton, our advocate, or our advocate of our said colony for the time being; our trusty and well-beloved Dudley Feneday, our secretary, or our secretary of our said colony for the time being; our trusty and well-beloved Thomas Stuart Buckle, our surveyor of lands, or our surveyor of lands of our said colony for the time being; our trusty and well-beloved Kenneth Macaulay, esquire, our trusty and well-beloved Alexander Grant, esquire, our trusty and well-beloved Joseph Reffell, esquire, our trusty and

All forts, castles, buildings, estate, and rights of the said company vested in his Majesty.

All territories, islands, and possessions which now do or at any time hereafter may belong to his Majesty, between the 20th degree north and 20th degree south latitude, hereby made dependencies on the colony of Sierra Leone.

To be nine or more councillors.

Councillors.

and well-beloved John O'Neil Walsh, esquire, our trusty and well-beloved Thaddeus O'Meara, esquire, our trusty and well-beloved Andrew Nicoll, doctor of medicine, our trusty and well-beloved John Hope Smith, esquire, and our trusty and well-beloved William Dawson, esquire, thenceforth councillors of our said colony, to continue in their said office of councillors during their natural lives, unless suspended from their said office, or absent from the said colony for the space of one year without leave given them under our Royal signature, or until other councillors shall be chosen and appointed by us, under our signet and sign manual in their stead. And we do further hereby give and grant to our said Governor full power and authority to suspend any of the members of our said Council from sitting, voting, or assisting therein, if he shall find just cause for so doing, and if it shall at any time happen that by the death, departure out of our said colony, or suspension of our said councillors or otherwise, there shall be a vacancy in our said Council (any five whereof we do hereby appoint to be a quorum), our will and pleasure is, that our said Governor do signify the same unto us by the first opportunity, that we may, under our signet and sign manual, constitute and appoint others in their stead. But that our affairs at that distance may not suffer from want of a due number of councillors, if ever it shall happen that there be less than nine of them residing in our said colony, we do hereby give and grant unto our said Governor full power and authority to choose as many persons out of the principal inhabitants thereof as shall make up the full number of our said Council to be nine, and no more, which persons so chosen and appointed by him shall be, to all intents and purposes, councillors in our said colony, until either they shall be confirmed by us, or that by the nomination of others by us under our sign manual and signet, our said Council shall have nine or more councillors in it, resident in our said colony. And we further by these presents ordain, will, and appoint, that our Governor of our said colony, or in his absence our Lieutenant-governor or Commander-in-chief for the time being of our said colony, together with our Council of the same, or the major part thereof, shall have full power and authority to make, constitute, and ordain laws, statutes, and ordinances for the public welfare and good government of our said colony, under the like conditions, and subject to the same limitations and restrictions, as those imposed on that behalf on the Governor and Council of our said colony in the Letters Patent of his said late Majesty hereinbefore recited. But to the end that nothing may be done or passed to the prejudice of us, our heirs and successors, by our said Council, we further ordain by these presents, that our Governor of our said colony, or in his absence our Lieutenant-governor or Commander-in-chief for the time being, may and shall have a negative voice in the making and passing of all laws, statutes, and ordinances as aforesaid. And we do further by these presents will, ordain, and appoint, that from and after the publication of these presents in our said colony of Sierra Leone as hereinafter directed, our court of record in our said colony, called and known by the name of "The Court of the Recorder of Freetown," shall consist of our Chief Justice of the said colony for the time being, and two such members of the Council as shall be appointed by the Governor of our said colony for the time being, assistant judges thereof, in lieu of the mayor and aldermen of Freetown for the time being, as ordained and appointed in and by the Letters Patent of his said late Majesty hereinbefore recited. And we do hereby will and ordain, that they, or any two of them (whereof our said Chief Justice for the time being, resident in Freetown, to be one), shall, and the same are hereby authorised to hear and determine all civil suits, actions, and pleas between party and party that shall or may arise or happen, or that have already arisen or happened, within our said colony of Sierra Leone, or of any of the forts, settlements, islands, or territories subject or subordinate thereto, except when the cause of action or suit shall not exceed the value of 40*s*. Provided always, and it is hereby further ordained and directed, that if such Chief Justice and Recorder, or any of the said assistant judges should be anyways interested in the event of any action or suit, no such Chief Justice and Recorder, or Assistant Judge, shall sit or act as a judge in such suit or action, but the same shall be heard and determined by such of them as shall be no ways interested therein; and in all cases where the number of voices shall be equal in the determination of any action or suit, the Chief Justice, or in his absence the senior assistant judge present, shall have two voices. And we do further direct, that the said Court of the Recorder of Freetown,

Five whereof to be a quorum.

Governor and Council to have full power and authority to make laws, &c.

Governor or lieutenant-governor to have a negative voice.

The Court of the Recorder of Freetown to consist of the Chief Justice and two members of Council, as assistant judges, in lieu of the mayor and aldermen.

town, hereby constituted, shall proceed in the same manner and form, and subject to the same rules, as to trial by jury and otherwise, and to the same remedy and right of appeal, as were, in and by the said Letters Patent hereinbefore recited, directed and provided, in respect of the Court of the Recorder of Freetown constituted by such Letters Patent; and that all rules of practice made by the one court, and now, or at the time of the publication of these presents, remaining in force, shall be observed and followed in and by the other, until, by the authority of that other, the same be varied or repealed. And we do further will and direct, that no action, cause, suit, or proceeding, depending in the said Court of the Recorder of Freetown at the publication of these presents, shall be voided, abated, discontinued, or annulled for or by reason of any change in the constitution of the said court, effected by these presents, but that the same shall be respectively transferred in their then present condition to, and subsist and depend respectively, and be prosecuted, tried, and determined respectively in the said Court of the Recorder of Freetown hereby constituted and established, to all intents and purposes, as if they had been respectively first commenced, had, brought, and prosecuted in the said last-mentioned court. And we do further will and direct, that each person so nominated or appointed one of the assistant judges of the said Court of the Recorder of Freetown as aforesaid, shall, prior to the entering upon the execution of his said office, take an oath before the Governor, Lieutenant-governor, or other Commander-in-chief for the time being, for the due discharge of the same; which oath the said Governor, Lieutenant-governor, or Commander-in-chief for the time being, is hereby empowered to administer. And we do further, by these presents, will and establish, that our said Governor, Lieutenant-governor, or other Commander-in-chief, and Council of our said colony for the time being, shall be, and they are hereby constituted a Court of Record to receive, hear, and determine appeals from as well the said Court of the Recorder of Freetown as from any other superior court of common law now established, or to be in future established, in our said colony pursuant to these presents, in the like cases, and subject to the like limitations, rules, and directions as to their proceedings therein, and subject also to the like right of appeal from their judgment, sentence, or decree, to us in our Privy Council, when the debt, damages, or things, or matter in dispute, shall exceed the value of 400 *l.*, and upon the like condition as to security to be thereupon given by the appellant, as were in and by the said Letters Patent hereinbefore recited, directed, and provided in respect of appeals to the Governor and Council of the said colony, and from them to his said late Majesty in his Privy Council, respectively: provided always, and it is hereby ordained, that no such member or members of our said Council as shall be at that time judge or judges of the court from which such appeal shall be so made, shall be entitled or permitted to vote upon such appeal: provided also, that no appeal be allowed from any sentence, order, or decree of our Courts of Chancery of our said colony, to us or our Privy Council, unless the debt, damage, or thing, or matter in dispute, shall exceed the like sum or value of 400 *l.* sterling, and that such appellant do also give good security that he will effectually prosecute such appeal, and answer the condemnation money, and pay also such costs and damages as shall be by us awarded, in case such sentence, order, or decree so appealed from be affirmed: provided nevertheless, and our further will and pleasure is, that when the matter in question relates to the taking or demanding of any duty payable to us, or to any fee of office, or annual rent, or other such like matter or thing where the right in future may be bound, in all such cases an appeal may be had from the judgment of our said Governor and Council as aforesaid, or from the sentence, order, or decree of our Court of Chancery of our said colony, to us in our Privy Council, though the immediate sum or value appealed for be of a less amount than 400 *l.* sterling. And our further pleasure is, and we do hereby direct and appoint, that our said Governor shall and may keep and use the public seal of our said colony of Sierra Leone for sealing all instruments whatsoever, that do and ought to pass the Great Seal of our said colony, under his said government. AND WHEREAS writs of inquiry of idiots and lunatics may and ought to issue out of our Court of Chancery in our said colony, and be returnable in our said court, and great trouble and charges may arise, if occasion be, to resort unto us, our heirs or successors, for directions respecting such idiots and lunatics, and their estates, we do by these presents give and grant unto our said Governor full power and authority to give orders and warrants, from time to time, for preparing grants of the custodies of such idiots and lunatics, and their estates,

The assistant judges to take an oath for the due discharge of their duty before the Governor.

Governor and Council to be a court of record, to hear and determine appeals from the other courts.

Appeal to Privy Council, when matter in dispute above 400 .

Appeal from the Court of Chancery in similar cases to the Privy Council.

The Governor to keep and use the Great Seal of the colony for sealing all instruments.

Court of Chancery.

Idiots and lunatics.

estates, as are or shall be found by inquisition thereof taken, or to be taken and returned, or to be returned into our said Court of Chancery of our said colony, and thereupon to make and pass grants and commitments under our Great Seal of our said colony, of the custodies of all and every such idiots and lunatics, and their estates, to such person or persons suitors in that behalf, as according to the rules of law, and the use and practice in those and the like cases, he shall judge meet for that trust; the said grants and commitments to be made in such manner and form, or as nearly as may be, as hath heretofore been used and accustomed in making the same under the Great Seal of this Kingdom, and to contain such and the like apt and convenient covenants, conditions, and agreements, on the part of the committees and grantees to be performed, and such security to be by them given as shall be requisite and needful. And we do further by these presents ordain, direct, and establish, that from and after the expiration of three months from the publication of these presents hereinafter directed, the authority of the Court of Requests for the colony of Sierra Leone, for the recovery of small debts within the said colony, as constituted by the Letters Patent of his said late Majesty hereinbefore recited, shall cease and be abolished. And we do by these presents authorise and require our said Governor, by and with the advice and concurrence of our said Council, prior to the expiration thereof, to nominate and appoint certain justices, or other commissioners, in and for particular districts, upon whom the authority of the said court, thenceforward to cease and be abolished in and throughout the said colony as aforesaid, may regularly devolve, and that the said justices or other commissioners may and shall proceed to the hearing and determining of all matters of debt or damage, under forty shillings value, in the same or the like manner and form, as near as circumstances will admit of, as any Commissioners of Requests usually and lawfully do within that part of our United Kingdom called England, and that such Commissioners shall assemble at such times and places as our said Governor, with the advice and concurrence of our Council as aforesaid, shall from time to time appoint. And we do further hereby direct and establish, that from and after the publication of these presents, our Governor, Lieutenant-governor, or Commmander-in-chief for the time being of our said colony, shall and may do, execute, and perform all that is necessary for the granting of licences for marriages, as also for the probate of wills and granting of administrations for, touching, or concerning any interest or estate which any person or persons shall have within our said colony or its dependencies, in such or the like manner and form as our Governors, Lieutenant-governors, or other Commanders-in-chief of our provinces in America are used and authorised to do, execute, and perform the same. And our further will and pleasure is, that from thenceforth such jurisdictions, powers, and authorities as were given to the Court of the Recorder of Freetown aforesaid, and to the said mayor of Freetown, in and by the said Letters Patent hereinbefore recited, in respect to grants of probates of wills and letters of administration, shall cease and determine. But we do nevertheless will and ordain, that no probates issued, or letters of administration granted in the said court pursuant to the provisions of the said Letters Patent, prior to the publication of these presents, shall be impeached or avoided by the cessation of the authority and functions of the said court in the premises, but that the same shall, and the same are hereby ordained to remain in as full force and effect as if the said court still possessed the powers and authorities to grant probates of wills and letters of administration, conferred upon it by the said Letters Patent. And we do further by these presents give and grant unto our said Governor full power and authority, with the advice and consent of our said Council, to erect and constitute judicatories and courts of record, or other courts, to be held of us, our heirs and successors, for the hearing and determining all and all manner of causes, as well criminal as civil, arising or happening within our said colony, or between persons inhabiting or residing there, as also to issue from time to time special commissions of oyer and terminer and gaol delivery, limited to the districts and crimes or misdemeanors specified in such commissions, and for the awarding and making out of execution thereupon; to which courts and judicatories we do hereby give and grant full power and authority from time to time to administer oaths for the better discovery of truth in any matter in controversy or depending before them, together with all other reasonable and necessary powers, authorities, fees, and privileges belonging thereto. And we do hereby further give and grant unto our said Governor full

The Court of Requests to cease and be abolished within a certain period.

Governor and Council to appoint justices or commissioners, upon whom the authority of the said court to devolve.

Governor to grant marriage licences, probate of wills, &c.

Governor and Council to erect and constitute criminal and civil courts, and from time to time to issue special commissions of oyer and terminer.

SIERRA LEONE.

Governor authorised to appoint judges, commissioners of oyer and terminer, and other ministers and officers for the execution of the laws.

power and authority to constitute and appoint judges, and in cases requisite, commissioners of oyer and terminer, justices of the peace, and other necessary officers and ministers in and through our said colony, for the better administration of justice and putting the laws in execution, and to administer or cause to be administered to them their several and respective oaths for the due and faithful performance of their duties in their several and respective offices, before undertaking the execution of the same: provided nevertheless, and be it further ordained, that no election or appointment of any sheriff or other officer or minister, pursuant to these presents, shall or shall be deemed or construed to alter or abidge the power and right of the sheriff of our said colony, appointed pursuant to the Letters Patent hereinbefore recited, to summon juries, or to execute and make return of all processes and the like of the said Court of the Recorder of Freetown, or of any other courts erected or to be erected within that tract or district known by the name of the peninsula of Sierra Leone, bounded as aforesaid. And in case of the death, absence, or removal of our Lieutenant-governor of our said colony, we do further by these presents authorise and empower our Governor of our said colony, being at the time of such appointment personally resident within our said colony, to nominate or appoint any person resident within our said colony whom he shall judge the most proper and fitting to be our Lieutenant-governor thereof, until our pleasure thereupon shall be known, provided it shall appear to our said Governor that the administration of the government of our said colony by the member of our said Council next in seniority to the chief justice thereof for the time being may not tend to the good of our service and the welfare of our said colony. And we do further ordain, will, and establish, that within 30 days after these presents shall arrive within our said colony of Sierra Leone, our Governor, Lieutenant-governor, or other Commander-in-chief of our said colony for the time being, shall cause these our Letters Patent to be published and proclaimed, and the contents thereof to be publicly known within the said colony, and that from and immediately after such publication the same shall be in full force and effect within our said colony; provided always, and we do hereby reserve unto ourself, our heirs and successors, full power and authority to revoke, vary, alter, annul, and make void these presents, and every or any clause, matter, or thing therein contained, and to make such new, other, or further ordinances and appointments for the government of our said colony, and for the administration of justice within the same, as to us, our heirs and successors, in that behalf shall seem meet. And we do lastly by these presents, for us, our heirs and successors, direct and appoint that our Governor of our said colony of Sierra Leone and his successors, the Governors thereof during our Royal will and pleasure, may and shall have and exercise the several powers and authorities given and granted to them by these presents, together with and superadded to the several powers and authorities conferred on the Governor of the said colony by the Letters Patent of his late Majesty King George the Third, our dearest father, hereinbefore recited. And that the constitution and laws of our said colony of Sierra Leone, and all judicial and municipal authorities therein, shall for the present, and during our Royal will and pleasure, continue such as they were constituted and appointed to be by the said Letters Patent of his said late Majesty, or under the authority thereof, so far as the possessions heretofore held by the African Company, and also the territories belonging to us, our heirs and successors, on the West Coast of Africa, between the twentieth degree of north latitude and the twentieth degree of south latitude, being annexed by these presents to our said colony of Sierra Leone, and other changes of circumstances within our said colony, whether consequent upon the same, or howsoever accruing, will permit; and save also and except as the same are altered by these presents.

Not to abridge the power and right of the sheriff within the peninsula of Sierra Leone.

Governor authorised to appoint a Lieutenant-governor under certain circumstances.

The present Letters Patent to be proclaimed within 30 days after arrival in the colony.

In witness whereof we have caused these our Letters to be made Patent. Witnesses, our most dear brother, Frederick Duke of York, and other guardians and justices of the United Kingdom, at Westminster, the 17th day of October, in the second year of our reign.

By writ of Privy Seal,

Bathurst.

— No. 6. —

SUPPLEMENTAL CHARTER, dated at Westminster, the 17th February 1846. No. 6.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, to all to whom these presents shall come, greeting:

WHEREAS his late Majesty King George the Fourth, by Letters Patent, bearing date the 17th day of October, in the second year of his reign, in the year of our Lord 1821, did direct and appoint that the Governor of the colony of Sierra Leone, and his successors the Governors thereof, might and should exercise the several powers and authorities given and granted to them by the said Letters Patent, together with and superadded to the same powers and authorities conferred on the Governor of the said colony by certain Letters Patent of his late Majesty King George the Third respectively, bearing date at Westminster the 5th day of July, in the fortieth year of his reign, and the 9th day of August, in the forty-ninth year of his reign; and that the constitution and laws of the said colony, and all judicial and municipal authorities therein stated, should continue such as they were constituted and appointed to be by the said Letters Patent of his said late Majesty King George the Third, or under the authority thereof, so far as the possessions theretofore held by the African Company, and also the territories belonging to his said late Majesty King George the Fourth, his heirs and successors, on the West Coast of Africa, between the twentieth degree of north latitude and the twentieth degree of south latitude, being annexed by the said Letters Patent of his late Majesty King George the Fourth to the said colony of Sierra Leone, and other changes of circumstances within the said colony of Sierra Leone, whether consequent upon the same, or however accruing, would permit. And his said late Majesty did, by the said Letters Patent, reserve to himself, his heirs and successors, full power and authority to revoke, vary, alter, annul, and make void the same, and every or any clause, matter, or thing therein contained, and to make such new, other, or further ordinances and appointments for the government of the said colony, and for the administration of justice within the same, as to his said late Majesty, his heirs and successors, should seem meet. AND WHEREAS experience hath shown that the provisions of the said recited Letters Patent from time to time require amendments for the adaptation thereof to the exigencies of society within the said colony, but inasmuch as no authority exists within the same competent to that purpose, the making of such amendments is attended with great difficulty and delay: Now therefore, for the avoidance of the inconveniences aforesaid, and for promoting the administration of justice within the said colony, we of our especial grace, certain knowledge, and mere motion, have granted, appointed, and declared, and do hereby, for us, our heirs and successors, grant, appoint, and declare, that it shall and may be competent to the Governor, or to the officer for the time being, in administering the government of the said colony, together with our Council of the same, by any laws, statutes, or ordinances to be by them from time to time made, to make provision for the better administration of justice within the said colony, and for altering the constitution of any court of civil or criminal justice within the same, and for regulating the manner of proceeding within such courts, or any of them, and the limits, whether territorial or otherwise, of the jurisdiction of such courts respectively, and the times and places of holding such courts, and the number and functions of the officers to be employed in and about the administration of justice in or under the orders of the said courts respectively, and the powers and authorities of the judges and other officers of the said respective courts, and all other matters and things incident to, or which to them may appear necessary for the economical, prompt, and effective administration of civil and criminal justice within the said colony and its dependencies; and all such laws and ordinances so to be made as aforesaid shall, within the said colony and its dependencies, have the same force and authority as any other laws or ordinances of the said Governor and Council, anything in the said recited Letters Patent, or either of them, contained to the contrary notwithstanding; provided that every such law, statute, or ordinance be so made in such manner and form, and subject to all such rules and regulations, as are or shall be in force in reference to any other laws, statutes, or

ordinances of the local legislature of the said colony, and also provided that no law, statute, or ordinance relating to or affecting the administration of justice within the said colony and its dependencies, shall take effect within the said colony, or shall have the force or authority of law there until the same shall have been ratified and confirmed by us, our heirs and successors, unless the same shall have been passed by the unanimous votes of the said Governor and Council; but in any case wherein any such unanimous votes of the said Governor and Council shall be given in favour of the immediate operation of any such law, statute, or ordinance as aforesaid, then and in every such case it is our further will and pleasure that the same shall take effect within the said colony, and shall have the force and authority of law there immediately from and after the date and enactment thereof, subject nevertheless to our right and authority to disallow the same if in any such case we should be so advised: provided always, that nothing in these presents contained, nor any act which shall be done under the authority hereof, shall extend or be construed to extend to prevent us, our heirs and successors, by any other Letters Patent to be by us or them from time to time for that purpose issued under the Great Seal of the United Kingdom from revoking these presents, or any part thereof, or from making such further or other provision for the administration of justice throughout the said colony and its dependencies, at our and their will and pleasure, as circumstances may require.

In witness whereof we have caused these our Letters to be made Patent. Witness ourself at Westminster, the 17th day of February, in the ninth year of our reign.

(L. S.) By writ of Privy Seal,

Edmunds.

— No. 7. —

No. 7. ORDER in COUNCIL extending British Jurisdiction over British Subjects residing in Countries under the Dominion of Native Princes adjacent to *Sierra Leone.*

AT the Court at Buckingham Palace, the 13th day of July 1850.

Present:—The Queen's Most Excellent Majesty in Council.

WHEREAS there was this day read at the Board a Report of the Right honourable the Lords of the Committee of Council appointed for the consideration of all matters relating to Trade and Foreign Plantations, dated the 5th day of this instant July, in the words following; viz.,—

"Your Majesty having been pleased, by your Order in Council of the 8th February 1850, to refer unto this Committee a letter from the Right honourable Earl Grey, one of your Majesty's Principal Secretaries of State, to the Lord President of the Council, transmitting an extract from a despatch from the lately Acting Governor of the colony of Sierra Leone, together with certain other papers enclosed therein; and your Majesty having been pleased by the said Order to direct that this Committee should consider the same, and report to your Majesty whether, supposing your Majesty to possess or to be able to acquire such jurisdiction in countries adjacent to Sierra Leone as is contemplated by the Act passed in the 6th and 7th year of your Majesty's reign, intituled, 'An Act to remove doubts as to the exercise of Power and Jurisdiction by Her Majesty within divers Countries and Places out of Her Majesty's Dominions, and to render the same more effectual,' that Act confers on your Majesty power to exercise that jurisdiction, so as to effect the objects recommended by the said lately Acting Governor; and if so, by what instruments it is necessary and advisable that such jurisdiction should be exercised; or if this Committee should be of opinion that the Act in question is for any reason inapplicable, what course this Committee would recommend to be pursued, in order to attain the same object.

"We have accordingly, in obedience to your Majesty's commands, proceeded to

to take into our consideration the matters so referred to us, and have humbly to submit to your Majesty the following report of our opinion thereupon :—

" It is not stated or suggested in the said Order of Reference, or in the papers accompanying that Order, neither have we any reason to conclude or to suppose, that your Majesty 'hath any jurisdiction' within any of the territories adjacent to, but not comprised within, the colony of Sierra Leone.

" We are therefore of opinion that it is not at present competent to your Majesty, under or by virtue of the said Act of Parliament of the 6th and 7th year of your Majesty's reign, 'to hold, exercise, or enjoy any jurisdiction' within any of those territories.

" But we are further of opinion that if any of the princes, chiefs, or other constituted authorities of the said territories, or of any of them, who, according to the laws or customs prevailing therein, may be competent to make treaties binding within such territories and upon the inhabitants thereof, shall by any such treaties cede to your Majesty a jurisdiction within the same, then it will be lawful for your Majesty, under or by virtue of the said recited Act, 'to hold, exercise, and enjoy such jurisdiction' within any such territories.

" And we are further of opinion, that when any such treaties as aforesaid shall have been made, it will be competent to your Majesty in Council, by any Order or Orders to be for that purpose made, to appoint Sierra Leone to be the British colony to which may be sent for trial any person or persons charged with the commission of any crime or offence, the cognizance of which may in pursuance of any such treaty appertain to any judge, magistrate, or other your Majesty's officer, within any such territories as aforesaid.

" It does not appear to us neeessary that we should express any opinion whether it would or would not be competent to your Majesty in Council, by any such Order or Orders as aforesaid, to authorise the punishment or trial at Sierra Leone or elsewhere of any person or persons for any crime or offence not known to the law of England ; or to authorise the infliction on any such person or persons for any crime or offence, any punishment differing in kind or exceeding in degree the punishment denounced by the law of England against any person or persons committing any such crime or offence within the realm of England. For assuming that it would be competent to your Majesty in Council to make order to that effect, we are of opinion that it would not be expedient that, in the exercise of any such power, your Majesty should make any such orders.

" But we are further of opinion, that if it should appear to your Majesty, on the advice of your confidential Ministers, necessary or expedient that any acts done within the territories aforesaid should be made penal, which if done within the realm of England would not be penal, or that in respect of any acts done within the territories aforesaid, any punishments should be denounced by the law of England in the like cases, then application ought to be made to Parliament for the enactment of a law introductory of such new crimes or offences or of such new penalties.

" And we are of opinion that it ought not to be proposed to Parliament to delegate to your Majesty in Council the duty of defining any such new crimes or offences, or of determining the nature or amount of any such new punishments."

Her Majesty having taken the said report into consideration, was pleased, by and with the advice of Her Privy Council, to approve thereof.

(signed) *Wm. L. Bathurst.*

— No. 8. —

ORDER IN COUNCIL (5 March 1852) " enabling the Legislature of *Sierra Leone* to alter or repeal Customs' Regulations made by certain Orders in Council. No. 8.

AT the Court at Buckingham Palace, the 5th day of March 1852.

Present:—The Queen's most Excellent Majesty in Council.

WHEREAS by a certain Act of Parliament made in the Session of Parliament holden in the eighth and ninth years of the reign of Her present Majesty, intituled, " An Act to regulate the Trade of the British Possessions abroad," it is amongst other things enacted, that it shall be lawful for Her Majesty, by and with the

advice of Her Privy Council, by any Order or Orders in Council to be issued from time to time, to give such directions and make such regulations touching the trade and commerce to and from any British possessions in or near the continent of Europe, or within the Mediterranean Sea, or in Africa, or within the limits of the East India Company's Charter (excepting the possessions of the said Company), as to Her Majesty in Council shall appear most expedient and salutary: And whereas by certain orders made by Her Majesty in Council on the 31st day of January 1849, and on the 13th day of February 1849, in pursuance of the said Act Her Majesty made certain regulations touching the trade and commerce of Her settlements on the River Gambia, and touching the trade and commerce of the colony of Sierra Leone respectively: And whereas it is expedient to enable the legislatures of the said Settlements and colony respectively to alter or repeal all such regulations as are made in and by the said Orders respectively:

Her Majesty doth therefore, with the advice of her Privy Council, and in pursuance and exercise of the powers so vested in Her by the said Act of Parliament, and of all other powers enabling her in that behalf, order, and it is hereby ordered,—

That if and whenever the legislatures of the said Settlements on the River Gambia and their dependencies, and of the colony of Sierra Leone respectively, shall make or pass any Act or Ordinance in the manner and subject to the conditions which are or may be by law required in respect of Acts or Ordinances of such legislatures respectively, altering or repealing all or any of the regulations made in and by the said Orders in Council respectively; and if Her Majesty shall confirm such Act or Ordinance in such manner as Acts or Ordinances passed by such Legislatures respectively are or shall be by law subject to Her confirmation, such regulations shall, upon the proclamation of such confirmation in the said Settlements or Colony, or at any time thereafter which may be fixed by such Act or Ordinance, be so altered and repealed as if such alteration or repeal had been effected by order of Her Majesty, with the advice of Her Privy Council.

And the Right Honourable Sir John Pakington, Baronet, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(signed) *Wm. L. Bathurst.*

— No. 9. —

No. 9.

ANNO DECIMO SEXTO & DECIMO SEPTIMO VICTORIÆ REGINÆ.

CAP. LXXXVI.

AN ACT to remove Doubts as to the Rights of the liberated Africans in Sierra Leone.—20th August 1853.

WHEREAS doubts have been entertained whether Africans who have been liberated, or taken and received under the protection of the Crown, under the provisions of the Acts for the Abolition and Suppression of the Slave Trade, and are domiciled in the colony of Sierra Leone and its dependencies, are British subjects, and doubts have been also entertained as to the authority of the local legislature of that colony in legislating in relation to the rights and obligations of such Africans: Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Liberated Africans in Sierra Leone to be deemed, for all purposes in Africa, natural-born subjects.

1. All liberated Africans domiciled or resident, or who hereafter may be domiciled or resident, in the colony of Sierra Leone or its dependencies, shall be deemed to be and to have been for all purposes as, from the date of their being brought into or of their arrival in the said colony, natural-born subjects of Her Majesty, and to be and to have been capable of taking, holding, conveying, devising, and transmitting any estate, real or personal, within the said colony of Sierra

Sierra Leone and its dependencies: Provided always, that it shall be lawful for the legislature of Sierra Leone, by any Ordinance to be passed in the manner and subject to the conditions which are or may be by law required in respect of such Ordinances, to alter or repeal any of the provisions of this Act, so far as they relate to rights to real property within the colony of Sierra Leone and its dependencies, and generally to make such provisions in relation to such rights as to such legislature may seem expedient.

Local legislature may make laws in relation to the property in land in the colony.

2. And whereas treaties have been from time to time entered into, by or on the behalf and with the sanction of Her Majesty, with the kings and chiefs of certain African territories and tribes in the neighbourhood of the said colony of Sierra Leone, for the purpose (amongst others) of providing for the security of the persons and property of British subjects, and for the surrender of criminals, being British subjects, guilty of any offence cognizable by the laws of England, for trial in such colony as Her Majesty may appoint: In all such treaties as aforesaid made or which may be made between the officer administering the government of Sierra Leone for the time being and such kings or chiefs as aforesaid, and sactioned by Her Majesty, her heirs and successors, the terms "British subjects" and "subjects of the Queen of England" shall be held, for the purposes of such treaty, to comprehend all liberated Africans domiciled or residing in Sierra Leone and its dependencies.

Liberated Africans to be British subjects for the purposes of treaties with native chiefs.

3. Any magistrate or other officer whom the officer administering the government of Sierra Leone shall appoint to demand or to take charge of any British subject who shall be surrendered according to the provisions of any such treaty for trial in Sierra Leone shall be deemed and taken to be an officer of Her Majesty, to whom the cognizance of the crime or offence with which such British subject may be charged appertains, within the meaning of the Act of the sixth and seventh year of the reign of Her present Majesty, c. 94, intituled, "An Act to remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers Countries and Places out of Her Majesty's Dominions, and to render the same more effectual."

Governor may appoint officers to demand or take charge of British subjects under these treaties.

6 & 7 Vict. c. 94.

4. For the purposes of this Act, the words "liberated Africans" shall mean and include all persons dealt with or detained as slaves who heretofore have been or hereafter may be seized or taken, under any of the Acts for the abolition or suppression of the Slave Trade, by Her Majesty's ships of war or otherwise, and liberated or delivered to the officers appointed to protect, receive, or provide for such persons, and all other persons who, as having been dealt with, carried, kept, or detained as slaves, may have been taken and liberated, or received, protected, or provided for, under any of the said Acts.

Who to be deemed liberated Africans.

5. Provided always, that nothing in this Act shall in anywise prejudice or interfere with any of the provisions in relation to such liberated Africans as aforesaid of the laws in force for the abolition or suppression of the Slave Trade.

Provisions of Acts for abolition, &c. of the Slave Trade not to be affected.

— No. 10. —

ORDER IN COUNCIL (23d November 1853), "appointing *Sierra Leone* a Place for the Trial of Offenders brought there, under 6 & 7 Vict. c. 94." No. 10.

AT the Court at Windsor, the 25th day of November 1853.

Present:—The Queen's Most Excellent Majesty in Council.

WHEREAS by a certain Act of Parliament, made and passed in the Session of Parliament holden in the sixth and seventh years of Her Majesty's reign, intituled, "An Act to enable Her Majesty to provide for the Government of Her Settlements on the Coast of Africa and in the Falkland Islands," it was amongst other things enacted, that it shall be lawful for Her Majesty, by any Order or Orders to be by Her made, with the advice of Her Privy Council, to establish all such laws, institutions, and ordinances, and to constitute such courts and officers, and to make such provisions and regulations for the proceedings in such courts, and for the administration of justice, as may be necessary for the peace, order,

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and good government of Her Majesty's subjects, and others within the said present or future settlements respectively, or any of them, any law, statute, or usage to the contrary in anywise notwithstanding: And whereas by another Act of Parliament, made and passed in the same Session of Parliament, intituled, "An Act to remove doubts as to the exercise of Power and Jurisdiction by Her Majesty within divers Countries and Places out of Her Majesty's Dominions, and to render the same more effectual," it is amongst other things enacted, that it is and shall be lawful for Her Majesty to hold, exercise, and enjoy any power or jurisdiction which Her Majesty now hath or may at any time hereafter have within any country or place out of Her Majesty's dominions, in the same and as ample a manner as if Her Majesty hath acquired such power or jurisdiction by the cession or conquest of territory: And whereas Her Majesty hath power and jurisdiction within divers countries and places adjacent to Her Majesty's colony of Sierra Leone in Africa; Her Majesty is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, that all judges, magistrates, assessors, and other officers duly appointed to exercise the said power and jurisdiction in the name and on the behalf of Her Majesty within the countries and places aforesaid, shall in the exercise thereof observe, until further orders, such of the usages and rules of procedure of the said countries and places as may be compatible with the law of England; and in default of any such usages or rules of procedure shall proceed in all things, as nearly as may be, according to the said law of England. And in further pursuance of the powers by the said Acts of Parliament vested in Her Majesty, Her Majesty is pleased, by and with the advice of Her Privy Council, to appoint the colony of Sierra Leone as the British colony to which it shall be lawful for the officer administering the government of the said colony, or for any person having authority derived from Her Majesty in that behalf, by warrant under his hand and seal, to cause any person charged with the commission of any crime or offence, the cognizance whereof may at any time appertain to any judge, magistrate, or other officer of Her Majesty within the countries and places aforesaid, to be sent for trial, or in order that sentences passed within such countries and places as aforesaid may be carried into effect within such colony.

And the most Noble the Duke of Newcastle, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(signed) *C. C. Greville.*

— No. 11.—

No. 11. Royal Instructions to Governor *Hill.*—December 1854.

Victoria R.

Instructions to our trusty and well-beloved Stephen *John Hill*, Esquire, Lieutenant-colonel in our army, our Captain-general and Governor-in-Chief in and over our Colony or Peninsula of Sierra Leone and its Dependencies, or in his absence, to our Lieutenant-governor, or the officer administering the government of the said Colony or Peninsula and its dependencies for the time being. Given at our Court at Windsor, this 21st day of November, in the 18th year of our reign.

1. With these our instructions you will receive our commission under the Great Seal of our United Kingdom of Great Britain and Ireland, constituting and appointing you to be our Captain-general and Governor-in-Chief in and over our colony or peninsula of Sierra Leone, and of the territories, islands, and possessions depending thereon. You are with all due and usual solemnity to cause our said commission constituting you our Captain-general and Governor-in-Chief as aforesaid, to be read and published in the presence of the Members of the Council of our said colony; and you shall then and there take the several oaths appointed to be taken by an Act passed in the 1st year of the reign of King George 1st, intituled, "An Act for the further Security of his Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess

Princess Sophia being Protestants, and for extinguishing the hopes of the pretended Prince of Wales, and his open and secret Abettors," as altered and explained by an Act passed in the 6th year of the reign of his late Majesty King George the 3d, intituled, "An Act for altering the Oath of Adjuration, and the assurance and for the amending so much of an Act of the 7th year of her late Majesty Queen Anne, intituled, 'An Act for the Improvement of the Union of the two Kingdoms, as after the time therein limited requires the delivery of certain lists and copies therein mentioned to persons indicted of High Treason, or Misprision of Treason,'" or in lieu thereof, the oath required to be taken by an Act passed in the 10th year of the reign of his late Majesty King George the 4th, intituled, "An Act for the Relief of his Majesty's Roman-catholic Subjects," according as the said former Acts or the said last-mentioned Act shall be applicable to your case; and likewise that you take the usual oath for the due execution of the office of our Captain-general and Governor-in-Chief in and over our said colony, and for the due and impartial administration of justice; which said oaths the members of our said Council, or any of them, shall and they are hereby required to tender and administer unto you.

2. And we do hereby authorise and require you, from time to time and at any time hereafter, by yourself or by any other person or persons to be authorised by you in that behalf, to administer to all and every person or persons as you shall think fit, who shall hold any office or place of trust or profit, or who shall at any time or times pass into our said colony, or be resident or abiding there, the oath commonly called the "Oath of Allegiance," save and except only in cases where any other oath or oaths is or are prescribed by the statutes in that behalf made, or by any of those statutes; in which case it is our pleasure, and we do hereby direct, that you do administer or cause to be administered to such person or persons such other oath or oaths as aforesaid.

3. You are to call together the following persons, whom we do by these presents re-constitute and re-appoint, to be the members of our Council of our said colony, any three of whom shall be a quorum for transacting business, that is to say: the Chief Justice of our said colony for the time being, the Bishop of Sierra Leone for the time being, our Advocate for our said colony for the time being, our Colonial Secretary for our said colony for the time being, our trusty and well-beloved Robert Armstrong, Esquire, our trusty and well-beloved Joseph T. Commissiong, Esquire, and our trusty and well-beloved Charles Haddle, Esquire. But we expressly declare that the said Bishop of Sierra Leone for the time being shall in no case succeed to the government of our said colony.

4. And if it shall at any time happen that by the death, departure out of our said colony, suspension of any of our said councillors, or otherwise, there shall be a vacancy or vacancies in our said Council, our will and pleasure is that you signify the same to us by the first opportunity, that we may, under our sign manual and signet appoint another or other councillors in his or their stead; for which purpose you are, when any such vacancy or vacancies may arise, to transmit to us, through one of our Principal Secretaries of State, the names of three or more persons, inhabitants of our said colony of Sierra Leone, whom you may esteem the best qualified for the trust.

5. But that our affairs at that distance may not suffer for want of a due number of councillors, if ever it should happen that there shall be less than seven of them residing within our said colony, we do hereby give and grant unto you full power and authority to choose as many persons out of the principal inhabitants of the said colony as will make up the number of our said council to be seven, and no more; which persons so chosen and appointed by you shall be to all intents and purposes councillors in our said colony until either they are confirmed by us under our sign manual and signet, or that by the nomination of others by us in their stead our Council shall have seven or more persons therein.

6. Whereas effectual care ought to be taken to oblige the members of our said Council to a due attendance therein, and thereby to prevent the inconveniences that may happen from the want of a quorum of the Council to transact business as occasion may require: It is our will and pleasure that if any of the members of our said Council shall hereafter absent themselves from the said Council, when duly summoned, after being thereof admonished by you, and shall continue

absent above the space of six months together, without leave from you or from the officer administering the government of our said colony for the time being first obtained under your or his hand and seal, or shall remain absent for the space of one year without leave given them under our Royal Sign Manual and Signet, or by us through one of our Principal Secretaries of State, his or their place or places in the said Council shall immediately thereupon become void, and that if any of the members of our said Council resident in the said colony under your government shall hereafter absent themselves, when duly summoned, without a sufficient cause, and shall persist in such absence after being thereof duly admonished by you, you are to suspend the said councillors so absenting themselves until our further pleasure be known, giving immediate notice thereof to us through one of our Principal Secretaries of State. And we do hereby will and require that this our royal pleasure be signified to the several members of our Council, and entered in the council books as a standing rule.

7. You are forthwith to communicate such and so many of these our instructions to our said Council wherein their advice and consent are mentioned to be requisite, as likewise all such others from time to time as you shall find convenient for our service to be imparted to them.

8. You are to permit the members of our said Council to have and enjoy freedom of debate, and vote in all affairs of public concern that may be debated in Council.

9. And whereas in and by certain letters patent, bearing date at Westminster the 17th day of October, in the second year of the reign of His Majesty King George the Fourth, referred to in our Commission appointing you our Captain-general and Governor-in-chief as aforesaid, you are empowered, with the advice and consent of the majority of the Council, to make, enact, and ordain all such laws, statutes, and ordinances as may be necessary for the order, peace, and good government of our said colony, subject nevertheless to all such rules and regulations as are contained in that behalf in the said recited Letters Patent of the 17th day of October, in the second year of the reign of his said late Majesty, and in these our instructions. Now it is our will and pleasure that the following directions be carefully observed in the framing and passing of all such laws, statutes, and ordinances as may be hereafter enacted by you, with the advice and consent of our Council as aforesaid.

1st. That the style of enacting the said laws, statutes, and ordinances be by the Governor and Council, and no other.

2d. That each different matter be provided for by a different law, statute, or ordinance, without mixing in one and the same law, statute, or ordinance such things as have no proper relation to each other.

3d. That no clause be inserted in any law, statute, or ordinance which shall be foreign to what the title of it imports, and that every part of it have equal duration and continuance.

4th. That no law, statute, or ordinance whatever be passed for a less time than two years, except in cases of present necessity or immediate expediency.

5th. That no law, statute, or ordinance to which our assent has once been refused, shall be re-enacted without express leave for that purpose first obtained from us, upon a full representation by you to be made to us through one of our Principal Secretaries of State, of the reasons and necessity for re-enacting such law, statute, or ordinance.

6th. That no law, statute, or ordinance shall be made or passed in our said colony and approved by us, unless care be taken that there be a clause inserted therein suspending and deferring the execution thereof until our will and pleasure shall be known thereupon. That in all cases of laws, statutes, and ordinances transmitted for our approbation as aforesaid, the same be accompanied with full and sufficient explanations upon each of them, setting forth the reasons and necessity for enacting such law, statute, or ordinance.

10. It being of the utmost importance to our service and the welfare of our inhabitants that justice be everywhere speedily and duly administered, and that all disorders, delays, and undue practices in the administration thereof be effectually prevented; we do particularly require you to take especial care that justice

justice be everywhere speedily and duly administeted, and that all judges and other persons therein concerned do likewise perform their several duties without delay or partiality.

11. And we do hereby give and grant unto you full power and authority, upon sufficient cause to you appearing, to suspend from the exercise of his office within our said colony any person exercising any office by virtue of any commission or warrant granted or to be granted by us, or in our name or under our authority; which suspension shall continue and have effect only until our pleasure shall be known and signified to you. And we do hereby strictly require and enjoin you, in proceeding to any such suspension, that you signify by a statement in writing to the person so to be suspended, the grounds of such your intended proceeding against him; and that you do call upon such person to communicate to you in writing a statement of the grounds upon which and the evidence by which he may be desirous to exculpate himself; which statement and exculpation you will lay before the Council, and having consulted them thereupon, you will cause to be recorded in the minutes of the said Council, whether they, or the majority of them, do or do not assent to the said suspension, and if you thereupon proceed to such suspension, you are to transmit both of the said statements to us through one of our principal Secretaries of State by the earliest opportunity. But if in any case the interests of our service shall appear to you to demand that a person shall cease to exercise the powers and functions of his office instantly, or before there shall be time to take the proceedings hereinbefore directed you shall then interdict such person from the exercise of his powers and functions, preserving to him, however, until such proceedings shall have been taken, the emoluments and advantages of his office.

12. You shall not by colour of any power or authority hereby or otherwise granted unto you, take upon you to give, grant, or dispose of any place or office within our said colony, which now is or shall be granted, by which any person is or shall be appointed by warrant under our Royal Sign Manual and signet, any further than that you may upon the vacancy of any such office or place, or upon the death, incapacity, or suspension of any such officer by you, provisionally appoint any fit person to officiate in the interim, until you shall have represented the matter unto us through one of our Principal Secretaries of State.

13. It being our intention that all persons inhabiting our said colony under your Government should have full liberty of conscience, and the free exercise of their respective modes of religious worship, we do hereby require you to permit all persons within our said colony to have such liberty and to exercise their respective modes of religious worship, provided they be contented with a quiet and peaceable enjoyment of the same, not giving offence or scandal to the Government.

14. And whereas we did by certain Letters Patent under the Great Seal of our United Kingdom of Great Britain and Ireland, bearing date at Westminster the 22d day of May 1852, in the 15th year of our reign, erect, found, ordain, and constitute the colony of Sierra Leone into a bishop's see or diocese, and did declare and ordain that the same should be styled the Bishopric of Sierra Leone: It is therefore our will and pleasure that in the administration of the government of our said colony of Sierra Leone, you do give the most particular attention to all such matters as the erection of the said bishopric hath rendered necessary.

15. It is our further will and pleasure, that you recommend proper measures for erecting and maintaining schools, in order to the training up of youth to a necessary knowledge of the principles of the Christian religion. You are not, however, to propose or assent to any law, statute, or ordinance respecting religion, without a clause suspending its operation, until our pleasure shall have been signified thereupon, unless a draft thereof shall have been previously transmitted by you for our consideration and approval.

16. And whereas our Commissioners for executing the office of our High Admiral of our United Kingdom of Great Britain and Ireland and of our Plantations, have issued a Commission constituting you or the officer administering the government for the time being, Vice-Admiral of the said Colony of Sierra Leone, you are hereby directed and required carefully to put into execution the several powers thereby granted to you.

 17. And

17. And whereas, in and by certain Letters Patent issued by his Majesty King George the Third, bearing date at Westminster the 9th day of August, in the 49th year of his reign, for regulating the government of the said settlement of Sierra Leone, it is provided, that in the event of the death or absence of the Governor, and there being at that time no person within the said colony commissioned or appointed under the Royal Sign Manual to be Lieutenant-governor or Commander-in-chief of the said colony, the member of our said Council next in seniority to the chief justice for the time being who should be at that time resident within the said colony, shall take upon him the administration of the Government, and execute the commission and instructions of the Captain-general and Governor-in-chief, and the several powers and authorities therein contained: And whereas, in and by the before-recited Letters Patent of the 17th day of October, in the second year of the reign of his Majesty King George the Fourth, it is further provided, that if it should appear to the Governor of the said colony of Sierra Leone that the administration of the government of the said colony by such councillor as aforesaid would not tend to the good of our service and the welfare of the said colony, then and in that case it is further in and by the said recited Letters Patent provided, that the Governor of the said colony (he being at that time personally resident therein) should be authorised and empowered to nominate and appoint any person resident in the said colony (other than the said chief justice) whom he should judge proper and fitting to be the Lieutenant-governor thereof until the Royal pleasure thereupon should be known.

Now we do hereby signify our will and pleasure that the said councillor so administering the government as aforesaid, or the said person who may be so appointed by you to administer the government thereof, shall forbear to pass any laws, statutes, or ordinances but such as are immediately necessary for the peace, welfare and good government of our said colony, without our particular order for that purpose, and that he shall not remove or suspend any of the members of our said Council, or any judges, justices of the peace, or other officers, civil or military, without the advice and consent of a majority of our said Council, nor even then without good and sufficient reasons for so doing, which the said councillor so administering the government, or the person appointed by you to administer the government as aforesaid, shall forthwith transmit to us, signed by himself and the rest of the members of our said Council, through one of our Principal Secretaries of State.

18. And you are upon all occasions to send to us, through one of our Principal Secretaries of State, a particular account of all your proceedings, and of the condition of affairs within your government.

19. And whereas you will receive through one of our Principal Secretaries of State a book of tables in blank (commonly called the "Blue Book"), to be annually filled up with certain returns relative to the revenue and expenditure, militia, public works, legislation, civil establishment, pensions, population, schools, course of exchange, imports and exports, agricultural produce, manufactures, and other matters in the said "Blue Book" more particularly specified with reference to the state and condition of our colony of Sierra Leone. Now we do hereby signify our pleasure that all such returns be accurately prepared and punctually transmitted to us from year to year, through one of our Principal Secretaries of State; and that no officer within our said colony within whose department it may be to contribute any return or returns for the purposes aforesaid, or to prepare the same when so contributed, shall be entitled to receive or shall receive from you any warrant for the payment of his official salary which may become due and payable unto him, so long as such duty as aforesaid shall be in arrear or remain unperformed.

20. And whereas great prejudice may happen to our service and the security of our said colony by your absence from those parts, you are not, upon any pretence whatever, to come into Europe without having first obtained leave for so doing under our sign manual and signet, or from us through one of our Principal Secretaries of State.

G A M B I A.

— No. 1. —

No. 1.

Copy of Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland to provide for the Government of Her Majesty's Settlements in the Gambia. Dated this 24th day of June 1843.

Copy of Letters Patent, 24th June 1843.

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith. Whereas by an Act made and passed in the Session of Parliament holden in the first and second years of the reign of his late Majesty King George the Fourth, intituled, "An Act for abolishing the African Company, and transferring to and vesting in his Majesty all the Forts, Possessions, and Property now belonging to or held by them," it was, amongst other things, enacted, that it should and might be lawful for his said Majesty to order and direct that all or any of the forts and possessions therein mentioned, and also any territories, islands, or possessions on the West Coast of Africa, between the 20th degree of north latitude and the 20th degree of south latitude, which at the time of the passing of such Act did or at any time thereafter should or might belong to his said Majesty, should be annexed to or made dependencies on the colony of Sierra Leone, and that from the date of their being so annexed or made dependencies on the said colony, they should be subject to all such laws, statutes, and ordinances as should be in force in the said colony, or as should at any time thereafter be made, enacted, or ordained by the Governor and Council of the said colony, in the same manner as if the said forts, possessions, territories, or islands had originally formed part of the said colony of Sierra Leone:

Recital of 1 & 2 Geo. 4, abolishing the African Company.

And whereas, in pursuance of the Act of Parliament aforesaid, his said Majesty King George the Fourth did, by certain Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster the 17th day of October, in the second year of his reign, order, direct, and appoint that all and every of the forts and possessions theretofore acquired, purchased, enjoyed, claimed, or held by the corporation of the company of merchants trading to Africa, and also all territories, islands, and possessions which then did, or at any time thereafter should or might, belong to his said Majesty King George the Fourth, his heirs and successors, on the West Coast of Africa, between the 20th degree of north latitude and the 20th degree of south latitude should be annexed to and made dependencies on, and the same were thereby annexed to and made dependencies on, the said colony of Sierra Leone.

Transfer of possessions of African Company to colony of Sierra Leone, by Letters Patent, 17th October.

And by the said Letters Patent his said late Majesty did reserve to himself, his heirs and successors, full power and authority to revoke, vary, alter, annul, and make void the said Letters Patent, and every or any matter or thing therein contained, as to his said Majesty, his heirs and successors, in that behalf should seem meet.

Powers reserved to the Crown.

And whereas, by certain other Letters Patent, under the Great Seal of our United Kingdom of Great Britain and Ireland, bearing date at Westminster the 20th day of December 1841, in the fifth year of our reign, we did constitute and appoint our trusty and well-beloved George Macdonald, esquire, Lieutenant-colonel in our army, to be our Captain-general and Governor-in-chief in and over the peninsula of the colony of Sierra Leone, and of all territories, islands, and possessions annexed to or depending on the said colony, and also the forts and garrisons erected and established, or to be erected and established, within the same, for and during our Royal will and pleasure:

Appointment of Lieutenant-colonel Macdonald to be Governor of Sierra Leone.

And whereas, by an Act made and passed in the sixth year of our reign, intituled, "An Act to enable Her Majesty to provide for the Government of her Settlements on the Coast of Africa and in the Falkland Islands," after reciting, amongst other things, that divers of our subjects have resorted to and taken up their

Recital of 6 Vict. c. 13. Act to provide for the government of settlements on the West Coast of Africa.

their abode, and may hereafter resort to and take up their abode, at divers places on or adjacent to the coast of the continent of Africa, and that it is necessary that we should be enabled to make further and better provision for the government of the said settlements, it is enacted, that it shall be lawful for us, by any order or orders to be by us made, with the advice of our Privy Council, to establish all such laws, institutions, and ordinances, and to constitute such courts and officers, and to make such provisions and regulations for the proceedings in such courts, and for the administration of justice, as may be necessary for the peace, order, and good government of our subjects and others within the said present or future settlements, any law, statute, or usage to the contrary notwithstanding. And it is further enacted, that it shall be lawful for us, by any commission or commissions under the Great Seal of the United Kingdom, or by any instructions under our signet and sign manual accompanying and referred to in any such commission or commissions, to delegate to any three or more persons within any of the settlements aforesaid the powers and authorities so vested by us in our Privy Council as aforesaid, either in whole or in part, and upon, under, and subject to all such conditions, provisoes, and limitations as by any such commission or commissions, or instructions, as aforesaid, we shall see fit to prescribe: Provided always, that notwithstanding any such delegation of authority as aforesaid, it shall still be competent to us in our Privy Council, in manner aforesaid, to exercise all the powers and authorities so vested as aforesaid in us in our Privy Council: Now therefore, in pursuance and exercise of the powers so reserved to us as aforesaid by the said recited Letters Patent of the second year of the reign of his said late Majesty King George the Fourth, and so vested in us as aforesaid by the said recited Act of Parliament, we do by these presents revoke the said respective Letters Patent of his said late Majesty King George the Fourth, and of the 20th day of December 1841, respectively, so far as the same apply to all and every the territories, islands, and possessions situate in or adjacent to the River Gambia, and their dependencies on the West Coast of Africa, which now belong to us, and are commonly designated as our settlements in the River Gambia: And we do hereby order, direct, and appoint that all and every our said territories, islands, and possessions in the River Gambia and its dependencies, do forthwith cease to be annexed to and be dependencies on the said colony of Sierra Leone: And further know you, that, in pursuance and exercise of the powers so vested in us as aforesaid by the said recited Act of Parliament passed in the sixth year of our reign, we, of our especial grace, certain knowledge, and mere motion, by this commission under the Great Seal of the United Kingdom aforesaid, delegate to the persons hereinafter named, within the said settlements in the River Gambia and their dependencies, the powers and authorities so vested in us in our Privy Council as aforesaid; but upon, under, and subject to all such conditions, provisoes, and limitations as by this our commission, or by the instructions under our signet and sign manual accompanying the same, are prescribed: And we do declare our pleasure to be, and do hereby declare and grant, that the Governor for the time being of the said settlements in the River Gambia and of their dependencies, and such other persons, not being less than two, as are hereinafter designated, shall constitute and be a Legislative Council for the said territories, islands, and possessions: And we do hereby direct and appoint, that the persons other than the said Governor constituting the said Legislative Council shall be such public officers within the said settlements and their dependencies as shall be designated, or such other persons within the same as shall from time to time be named for that purpose by us, by any instruction or instructions, or warrant or warrants, to be by us for that purpose issued under our signet and sign manual, and with the advice of our Privy Council, all of which councillors shall hold their places in the said council at our pleasure.

Revokes Letters Patent of Geo. 4, and of 20th December 1841.

British settlements in the Gambia separated from colony of Sierra Leone.

A Legislative Council to be appointed at the Gambia.

Powers given to Legislative Council at the Gambia.

And we do hereby authorise, empower, and enjoin such Legislative Council to make and establish all such laws, institutions, and ordinances as may from time to time be necessary for the peace, order, and good government of our subjects and others within the said present or future settlements in the River Gambia and in its dependencies; and our pleasure is, that in the making and establishing all such laws, institutions, and ordinances, the said Legislative Council shall conform to and observe all such rules and regulations as shall be given and prescribed

scribed in and by such instructions as we, with the advice of our Privy Council, shall from time to time make for their guidance therein: Provided nevertheless, and we do hereby reserve to ourselves, our heirs and successors, our and their right and authority to disallow any such ordinances in the whole or in part, and to make and establish from time to time, with the advice and consent of Parliament, or with the advice of our or their Privy Council, all such laws as may to us or them appear necessary for the order, peace, and good government of our said settlements and their dependencies, as fully as if these presents had not been made.

Reservation to the Crown of power to disallow ordinances enacted by Legislative Council.

And whereas it is expedient that an Executive Council should be appointed to advise and assist the Governor of our said settlements in the Gambia, and of their dependencies for the time being, in the administration of the government thereof, we do by these our Letters Patent authorise the Governor of our said settlements and of their dependencies to summon as an Executive Council such persons as may from time to time be named or designated by us in any instructions under our signet and sign manual, addressed to him in that behalf.

Executive Council appointed at the Gambia.

And we do hereby authorise and empower the Governor of our said settlements in the Gambia and their dependencies, for the time being, to keep and use the public seal appointed for the sealing of all things whatsoever that shall pass the seal of our said settlements.

Governor to keep and use public seal of the Gambia settlements.

And we do hereby give and grant to the Governor of our said settlements and of their dependencies, for the time being, full power and authority, in our name and on our behalf, but subject, nevertheless, to such provisions as may be in that respect contained in any instructions which may from time to time be addressed to him by us for that purpose, to make and execute in our name and on our behalf, under the public seal of our said settlements, grants of land to us belonging within the same to private persons for their own use and benefit, or to any persons, bodies politic or corporate, in trust for the public uses of our subjects there resident, or of any of them.

Power given to Governor to make grants of land.

And we do hereby authorise and empower the Governor of our said settlements in the Gambia and of their dependencies, for the time being, to constitute and appoint judges, and, in cases requisite, commissioners of oyer and terminer, justices of the peace, and other necessary officers and ministers in our said settlements, for the due and impartial administration of justice, and for putting the laws into execution, and to administer, or cause to be administered, unto them such oath or oaths as are usually given for the due execution and performance of offices and places, and for the clearing of truth in judicial matters.

Power of Governor to appoint judges and courts.

And we do hereby give and grant unto the Governor of our said settlements in the Gambia and of their dependencies, for the time being, full power and authority, as he shall see occasion, in our name and on our behalf, to remit any fines, penalties, or forfeitures which may accrue or become payable to us, provided the same do not exceed the sum of 50 *l.* sterling in any one case; and to respite and suspend the payment of any such fine, penalty, or forfeiture exceeding the said sum of 50 *l.*, until our pleasure thereon shall be made known and signified to such Governor.

Power of Governor to remit penalties and fines.

And we do hereby give and grant unto the Governor of our said settlements in the Gambia and of their dependencies, for the time being, full power and authority, as he shall see occasion, in our name and on our behalf, to grant to any offender convicted of any crime in any court, or before any judge, justice, or magistrate within our said settlements, a free and unconditional pardon, or a pardon subject to such conditions as by any law or ordinance hereafter to be in force in our said settlements may be thereunto annexed, or any respite of the execution of the sentence of any such offender, for such period as to such Governor may seem fit.

Power of Governor to grant pardons,

with or without conditions annexed.

And we do hereby give and grant unto the Governor of our said settlements in the Gambia and of their dependencies, for the time being, full power and authority, upon sufficient cause to him appearing, to suspend from the exercise of his office within our said settlements any person exercising any office or

Power given to Governor to suspend officers holding any place under the Crown.

place under or by virtue of any commission or warrant granted, or which may be granted, by us, or in our name or under our authority, which suspension shall continue and have effect only until our pleasure therein shall be made known and signified to such Governor; and we do hereby strictly require and enjoin the Governor of our said settlements and of their dependencies, for the time being, in proceeding to any such suspension, to observe the directions in that behalf given to him by our instructions under our signet and sign manual, accompanying his commission of appointment as Governor of the said settlements.

Certain instructions to be observed therein by Governor.

In case of death or absence of Governor, the Lieutenant-governor to administer government.

And in the event of the death or absence out of our said settlements in the Gambia and of their dependencies of such person as may be commissioned and appointed by us to be the Governor thereof, we do hereby provide and declare our pleasure to be, that all and every the powers and authorities herein granted to the Governor of our said settlements in the Gambia, and of their dependencies for the time being, shall be and the same are hereby vested in such person as may be appointed by us, by warrant under our signet and sign manual to be the Lieutenant-governor of our said settlements; or in the event of there being no person upon the place commissioned and appointed by us to be Lieutenant-governor thereof, then our pleasure is, and we do hereby provide and declare, that in any such contingency all the powers and authorities herein granted to the Governor or Lieutenant-governor of our said settlements shall be and the same are hereby granted to the Colonial Secretary of our said settlements for the time being, or to the person who for the time being may be in the lawful exercise and discharge of the duties of the office of Colonial Secretary thereof; and such Lieutenant-governor or such Colonial Secretary, as the case may be, shall execute all and every the powers and authorities herein granted until our further pleasure shall be signified therein.

If no Lieutenant-governor, then Colonial Secretary to administer the government.

All officers and inhabitants of the settlements to assist and obey the Governor.

And we do hereby require and command all our officers and ministers, civil and military, and all other the inhabitants of our said settlements in the Gambia and their dependencies, to be obedient, aiding, and assisting to such person as may be commissioned and appointed by us to be the Governor of our said settlements in the Gambia and of their dependencies; or in the event of his death or absence, to such person as may, under the provisions of these our Letters Patent, assume and exercise the functions of such Governor.

Power to revoke the Charter reserved to the Crown.

And we do hereby reserve to us, our heirs and successors, full power and authority from time to time to revoke, alter, or amend these our Letters Patent as to us or them shall seem meet. In witness, &c.

Witness, &c.

— No. 2. —

No. 2.

VICTORIA R.—INSTRUCTIONS to our trusty and well-beloved *Henry Frowd Seagram*, Esq., Commander in our Navy, our Governor and Commander-in-Chief in and over our Settlements in the River Gambia and their Dependencies; or, in his absence, to our Lieutenant-Governor, or the Officer administering the Government of our said Settlements and their Dependencies for the time being. Given at our Court at Buckingham Palace, this 24th day of June 1843, in the Seventh Year of our Reign.

Instructions to Governor, 24th June 1843.

1. WHEREAS, in pursuance and exercise of the powers in us vested in and by a certain Act of Parliament made and passed in the sixth year of our reign, intituled, "An Act to enable Her Majesty to provide for the Government of Her Settlements on the Coast of Africa and in the Falkland Islands," and for other purposes, we did, by our Charter under the Great Seal of our United Kingdom of Great Britain and Ireland, bearing date at Westminster the 24th day of June 1843, in this seventh year of our reign, make provision for the government of our settlements in the River Gambia on the West Coast of Africa, and of their dependencies:

Recital of Commission of Governor given to H. F. Seagram, June 1843.

And whereas, by a Commission under the Great Seal of our United Kingdom of Great Britain and Ireland, bearing date at Westminster, the 24th day of June 1843, in this seventh year of our reign, we did constitute and appoint you the said

said Henry Frowd Seagram, commander in our navy, to be our Governor and Commander-in-chief in and over our said settlements in the River Gambia, and in their dependencies, and of all forts and garrisons erected and established, or which should be erected and established, within the same; and did further require and command you to do and execute all things in due manner that should belong to your said command, and the trust we had reposed in you, according to the several powers and directions granted to or appointed for the Governor of our said settlements and their dependencies for the time being, and by the said recited Act of Parliament, and in and by the said recited Charter and the instructions under our sign manual and signet therein referred to, and according to such further powers, instructions, and authorities as should from time to time be granted or appointed you under our signet and sign manual, or by our order in our Privy Council, or by us through one of our principal Secretaries of State, and according to such laws and ordinances as should thereafter be made and enacted by virtue of our said recited Charter:

Now, therefore, by these our instructions, under our Royal sign manual and signet, being the instructions so referred to as aforesaid in the said recited Act of Parliament and Charter, we do declare our pleasure to be, that you shall, with all due solemnity, cause our said recited Charter, together with our said Commission, to be read and published in the presence of our chief officers and other the principal inhabitants of the said settlements and their dependencies, and you shall then and there take the oaths appointed to be taken by an Act passed in the first year of the reign of King George the First, intituled, "An Act for the further Security of His Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess Sophia being Protestants, and for extinguishing the hopes of the pretended Prince of Wales, and his open and secret Abettors," as altered and explained by an Act passed in the sixth year of the reign of his late Majesty King George the Third, intituled, "An Act for altering the Oath of Abjuration and the Assurance, and for amending so much of an Act of the Seventh Year of her late Majesty Queen Anne, intituled, 'An Act for the Improvement of the Union of the Two Kingdoms,' as after the Time therein limited requires the delivery of certain Lists and Copies therein mentioned, to Persons indicted of High Treason or Misprision of Treason," or, in lieu thereof, the oath required to be taken by an Act passed in the tenth year of the reign of his late Majesty King George the Fourth, intituled, "An Act for the Relief of His Majesty's Roman Catholic Subjects," according as the said former Acts or the said last-mentioned Act shall be applicable to your case; and likewise that you take the usual oath for the due execution of the office of our Governor and Commander-in-chief in and over our said settlements and their dependencies, and for the due and impartial administration of justice, which said oaths the chief magistrate for the time being of our said settlements and their dependencies shall and he is hereby required to tender and administer unto you; all which being duly performed, you shall administer to such our chief officers there present the said oaths mentioned in the said several Acts as shall be applicable to the case of the individual taking the same, and you are also to administer unto them the usual oath for the due execution of their places and trusts respectively.

Governor to cause the Charter to be read and published.

Oaths to be taken by Governor and other officers of the settlements.

Oaths to be administered by chief magistrate for the time being.

2. And we do authorise and require you, from time to time and at any time hereafter, by yourself or by any other to be authorised by you in that behalf, to administer and give to all and every such person or persons as you shall think fit, who shall hold any office or place of trust or profit, or who shall at any time or times pass into our said settlements and their dependencies, or be resident therein, such of the said oaths in the said several Acts contained as shall be applicable to the case of the individual to whom the same shall be administered.

Governor authorised to administer at any time to any person in the settlements the oath applicable to such person.

3. And whereas by the said recited Charter, and in pursuance and exercise of the powers in us vested in and by the said recited Act of Parliament, we did authorise the Governor, or the Lieutenant-governor for the time being, of our said settlements in the River Gambia and their dependencies, and such other persons, not being less than three, as were in the said Charter designated to constitute and be a Legislative Council for the said settlements and their dependencies, and we did by the said Charter further declare, that, in addition to the

said Governor or Lieutenant-governor, the said Council shall be composed of such public officers within the said settlements and their dependencies, or of such other persons as should from time to time be named or designated for that purpose by us, by our instruction or instructions, warrant or warrants, to be by us for that purpose issued under our signet and sign manual, and with the advice of our Privy Council, and that all such councillors should hold their places in the said Council at our pleasure, with full power and authority to make and establish all such laws, institutions, and ordinances as might be required for the peace, order, and good government of the said settlements and their dependencies; and that in the making all such laws, institutions, and ordinances, the said Legislative Council should conform to and observe all such rules and regulations as should be given and prescribed in and by such instructions as we, with the advice of our Privy Council, should from time to time make for their guidance therein:

Recital of powers of Legislative Council.

Now, therefore, by these our instructions under our signet and sign manual, and with the advice of our Privy Council (being the instructions so referred to as last aforesaid), we do nominate and appoint the public officers hereinafter designated to be members of the said Legislative Council, who shall hold their places in the said Council at our pleasure; (that is to say,) the Chief Justice of our settlements in the River Gambia for the time being, or the person who for the time being shall be lawfully acting in that capacity; the Colonial Secretary of the Government of our said settlements for the time being, or the person who for the time being shall be lawfully acting in that capacity; the officer in command of our land forces in our said settlements for the time being, and such other person, being a justice of the peace for the said settlements, whom we may empower the Governor of the said settlements for the time being, by any instrument to be made and issued in our name under the public seal of our said settlements to constitute and appoint a member of the said Legislative Council, such justice of the peace being at all times a person not holding any office or place of emolument at our pleasure, or at the pleasure of such Governor or administrator of the Government, and his commission of the peace being revocable and renewable from time to time by such Governor or administrator of the Government as he may find occasion.

Members of Legislative Council to be —Chief Justice, Colonial Secretary, officer commanding troops, and one justice of peace.

Commission of justice of peace to be revocable by Governor.

4. And in further exercise of the powers and authorities in us vested in and by the said recited Act of Parliament, or otherwise to us appertaining, we have, with the advice of our Privy Council, thought fit to make, and do hereby make and ordain, the following regulations for the guidance of the said Legislative Council in the making such laws and ordinances as aforesaid; (that is to say,) we do declare our pleasure to be, that the said Legislative Council shall not be competent to act in any case unless three members at the least of such Council, in addition to the Governor for the time being, or to the member who may preside therein in his absence, shall be present at and throughout the meetings of such Council.

Three members to be a quorum, in addition to President of Council.

5. And we do authorise and require you, or the Governor of our said settlements in the Gambia and their dependencies for the time being, to preside in the said Council.

Governor to be President of the Council.

6. And we do further declare our pleasure to be, that all questions proposed for debate in the said Council shall be decided by the majority of votes, it being our pleasure that the Governor for the time being, or the member presiding in his absence, shall have an original vote in common with the other members of the said Council, as also a casting vote, if upon any question the votes shall be equally divided.

All questions to be decided by a majority of votes.

Governor to have an original and a casting vote.

7. And for ensuring punctuality of attendance of the members of the said Council, and for the prevention of meetings of the said Council being holden without convenient notice to the several members thereof, it is our pleasure, and we do hereby direct, that you, or the Governor of our settlements in the Gambia, and of their dependencies for the time being, do frame and propose to the said Council, for their adoption, such standing rules and orders as may be necessary for those purposes, with such standing rules and orders as may be best adapted for maintaining order and method in the dispatch of business, and in the conduct of all debates in the said Council, which rules and orders (not being repugnant to the said recited Act of Parliament and Charter, or to these instructions, or to any other

Standing rules and Orders of Council to be framed and adopted.

other instructions which you may receive from us) shall at all times be followed and observed, and shall be binding upon the said Council, unless the same or any of them shall be disallowed by us.

No law to be enacted, and no question debated by the Council, unless first proposed by the Governor.

8. It is our pleasure, and we do hereby direct, that no law or ordinance shall be made or enacted by the said Council unless the same shall have been previously proposed by yourself, and that no question shall be debated at the said Council unless the same shall first have been proposed for that purpose by you: Provided nevertheless, and it is our pleasure, that if any member of the said Council shall deem any law fit to be enacted by the said Council, or any question proper to be there debated, and shall of such his opinion transmit a written statement to you, it shall be lawful for any such member of the said Council to enter upon the minutes thereof a copy of any such statement, together with the reasons upon which such his opinion may be founded.

Cases where a member may make an entry of any proposition on the minutes.

Clerk of Council to keep minutes of proceedings of Council, &c.

9. And we do further direct that minutes be regularly kept of the proceedings of the said Council by the clerk of the said Council, and that the said Council shall not ever proceed to the dispatch of business until the minutes of the last preceding meeting have first been read over and confirmed or corrected, as may be necessary.

Minutes to be transmitted twice each year to Secretary of State.

10. And we do further require and enjoin you twice in each year to transmit to us, through one of our principal Secretaries of State, a full and exact copy of the minutes of the said Council for the last preceding half-year.

Governor forbidden to assent to any ordinance altering the constitution of Council as fixed by the Charter and instructions, &c.

11. And it is our further pleasure, that you do not propose or assent to any ordinance whatever respecting the constitution, proceedings, numbers, or mode of appointing or electing any of the members of the said Legislative Council, or otherwise in relation to any of the matters mentioned or referred to in the said Charter, and in these our instructions, which shall be in anywise repugnant to or inconsistent with such Charter or instructions, or repugnant to the said recited Act, or to any other Act of Parliament; but that any such ordinance, or pretended ordinance, shall be absolutely null and void to all intents and purposes.

Or to any ordinance interfering with attendance on worship of God.

12. And you are expressly enjoined not to propose or assent to any ordinance whatever, whereby any person may be impeded or hindered from celebrating or attending the worship of Almighty God in a peaceable and orderly manner, although such worship may not be conducted according to the rites and ceremonies of the Church of England.

Or any ordinance diminishing revenue of Crown, or changing the salary or allowance of colonial officers.

13. And we do further enjoin you not to propose or assent to any ordinance whatsoever whereby our revenue might be lessened or impaired, or whereby our prerogative might be diminished or in any respect infringed, or whereby any increase or diminution might be made in the number, salary, or allowances of any public officers, which have or shall have received our sanction, without our special leave and command therein first received.

Or any ordinance sanctioning issue of bills of credit, &c.

14. And we do further direct, that you do not propose or assent to any ordinance whatever, whereby bills of credit or other negotiable securities, of whatever nature, may be issued in lieu of money on the credit of the said settlements in the Gambia and their dependencies, or whereby any Government paper currency may be established therein, or whereby any such bills or any other paper currency, or any coin, save only the legal coin of the realm, may be made or declared to be a legal tender, without special permission from us in that behalf first obtained.

Or any ordinance making a distinction between parties of European descent and others.

15. And we do further enjoin and command you not to propose or assent to any ordinance whatever by which persons not of European birth or descent might be subjected or made liable to any disabilities or restrictions to which persons of European birth or descent would not also be subjected or made liable.

Or any ordinance for raising money by lotteries.

16. And it is our further pleasure, that you do not propose or assent to any ordinance whatever for raising money by the institution of any public or private lotteries.

Or any ordinance naturalizing aliens, unless conditionally.

17. And it is our will and pleasure, that you do not propose or assent to any ordinance for the naturalization of aliens without our especial leave or command therein first received, unless there be a clause inserted therein suspending and

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deferring the operation of the same until our pleasure shall be signified thereupon.

Or any ordinance for divorce of married parties.

18. And it is our further will and pleasure, that you do not propose or assent to any ordinance whatever for the divorce of persons joined together in holy martimony.

Or any ordinance taxing British shipping, or transient traders, if residents in said settlements be exempted from such tax.

19. And we do further direct, that you do not propose or assent to any ordinance whatever, by which any tax or duty might be imposed upon the trade or shipping of the United Kingdom, or whereby any tax might be imposed upon transient traders, or upon persons residing and carrying on business for a short time within our said settlements in the Gambia and their dependencies, from which other traders or persons carrying on the like business would be exempt.

Or any ordinance granting money, land, or gratuity to Governor.

20. And we do further direct, that you do not propose or assent to any ordinance whatever whereby any grant of money or land, or other donation or gratuity, may be made by the said Legislative Council to you.

Or any private ordinance affecting property, unless with reservation of rights of Crown, and certain other parties.

21. And we do further direct, that you do not propose or assent to any private ordinance whatever whereby the property of any individual may be affected, in which there is not a saving of the rights of us, our heirs and successors, and of all bodies politic and corporate, and of all other persons, excepting those at whose instance or for whose especial benefit such ordinance may be passed, and those claiming by, from, through, and under them.

Or any ordinance once disallowed.

22. And it is our will and pleasure, that you do not propose or assent to any ordinance whatever to which our assent has once been refused, without express leave for that purpose first obtained from us.

Laws passed by Legislative Council to be styled "Ordinances, &c."

23. And it is our further will and pleasure that all laws or ordinances to be enacted by the said Legislative Council shall henceforth be styled "Ordinances enacted by the Governor of our Settlements in the Gambia, and of their Dependencies, with the advice and consent of the Legislative Council thereof," and that no other style or form shall ever henceforth be observed in any such enactment, and that all such laws and ordinances be drawn up in a simple and compendious form, avoiding, as far as may be, all prolixity and tautology.

Mode of drawing up ordinances.

All ordinances to be transmitted at once to Secretary of State.

24. And we do further direct, that when any ordinance shall have been passed by you with the advice of the said Legislative Council, the same shall forthwith be laid before you for our final assent, disallowance, or other direction thereupon, to be signified through you, for which purpose we do hereby require you, with all convenient speed, to transmit to us, through one of our princial Secretaries of State, a transcript in duplicate of every such ordinance as aforesaid, duly authenticated under the public seal of the said settlements and their dependencies, and by your own signature. And we do direct that every such transcript be so transmitted by the earliest occasion next after the enactment of the said ordinance, and that no such ordinance be made to take effect until our pleasure thereupon be first made known and signified to you, and by you to the inhabitants of the said colony, excepting only in the case of ordinances for raising the annual supplies for the service of the said settlements and their dependencies, and in any other cases in which the delay incident to a previous communication with us would be productive of serious injury or inconvenience; in which several cases we do hereby authorise you, with the advice of the said Council, to determine the time at which any such ordinance shall take effect and have its operation within the said settlements and their dependencies, which proceeding, with the reasons thereof, you shall on the earliest occasion report to us through one of our principal Secretaries of State. And we do hereby reserve to us, our heirs and successors, full power and authority to confirm and finally enact, or to disallow any ordinance which may be passed by you with the advice and consent of the said Council, either in whole or in part, such confirmation or disallowance being from time to time signified to you through one of our principal Secretaries of State.

No ordinance to take effect till assent of the Crown shall have been received and published.

May take effect if absolutely necessary.

Governor to transmit his reason for proclaiming such ordinances.

Every January a complete collection of the ordinances passed in the preceding year to be published.

25. And we do further declare our pleasure to be, that in the month of January, or at the earliest practicable period at the commencement of each year, you do cause a complete collection to be published for general information of all ordinances enacted during the preceding year.

26. And

26. And we do further direct, that all ordinances made by you, with the advice of the said Legislative Council, be distinguished by titles, and that the ordinances of each year be also distinguished by numerical marks, commencing in each successive year with the number one, and proceeding in arithmetical progression to the number corresponding with the total number of ordinances enacted during the year; and that every such ordinance be divided into successive clauses or paragraphs, distinguished in like manner by numerical marks, and that to every such clause be annexed in the margin a short summary of its contents.

Mode of numbering ordinances, &c.

27. And we do further declare our pleasure to be, that in the passing of all laws, each different matter be provided for by a different law, without intermixing into one and the same Act such things as have no proper relation to each other; and that no clause or clauses be inserted in or be annexed to any Act which shall be foreign to what the title of such respective Act imports, and that no perpetual clause be part of any temporary law; and that no Act whatever be suspended, altered, continued, revived, or repealed by general words, but that the title and date of such Act so suspended, altered, continued, revived, or repealed, be particularly mentioned and expressed in the enacting part.

Different subjects not to be mixed up in the same ordinance.

Mode of repealing ordinances.

28. And it is our express will and pleasure, that no law whatsoever be made to continue for less than two years, except only in cases where it may be necessary, upon some unforeseen emergency, to make provision by law for a service in its nature temporary and contingent.

No law, except in extreme cases, to be made to continue for less than three years.

29. You are also to take care, that in all laws or ordinances to be passed by our said Legislative Council in any case for levying money or imposing fines, forfeitures, and penalties, express mention be made that the same are granted or reserved to us, our heirs and successors, for the public uses of the said settlements and their dependencies, and the support of the government thereof, as by the said law or ordinance shall be directed.

Fines imposed by ordinances to be reserved to Crown.

30. And whereas by the said recited Charter we have authorised the Governor of our said settlements and their dependencies for the time being to summon as an Executive Council such persons as should from time to time be named or designated by us, in any instructions under our signet and sign manual, to be addressed to him in that behalf; now we do, by these our instructions, nominate and appoint the under-mentioned persons to be the members of the said executive Council; (that is to say,) the colonial secretary of and for our said settlements in the River Gambia and their dependencies, or the person for the time being lawfully acting in that capacity; the collector or the principal officer of customs in and for our said settlements in the River Gambia and their dependencies, or the person for the time being lawfully acting in that capacity.

Executive Council.

Colonial Secretary, collector of customs.

31. And we do declare our pleasure to be, that you do forthwith communicate to our said Executive Council these our instructions, and likewise all such others from time to time, wherein their consent and concurrence are requisite, and as you shall find convenient for our service to be imparted to them.

These instructions to be communicated to Executive Council.

32. And we do hereby declare, and it is our pleasure, that our said Council shall not proceed to the despatch of business unless duly summoned by your authority, and unless two members at least, exclusive of yourself, be present and assisting throughout the whole of the meetings at which any such business shall be despatched.

Executive Council to be summoned by Governor.

Quorum, Governor and two members.

33. And it is our pleasure that you do attend and preside at the meetings of our said Executive Council.

Governor to preside at Executive Council.

34. And we do further direct and command, that a full and exact journal or minute be kept of all the deliberations, acts, proceedings, votes, and resolutions of our said Executive Council; and that at each meeting of the said Council the minutes of the last preceding meeting shall be read over, confirmed, or amended, as the case may require, before proceeding to the despatch of any other business.

Journal of all proceedings, votes, &c. to be kept.

Must be read and confirmed.

35. And it is our further will and pleasure, and we do hereby command, that in the execution of the several powers and authorities granted and committed to you by our said Charter and commission, and these our instructions, or by any additional

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Governor bound generally to consult the Executive Council,

additional instructions hereafter to be given to you by us, you do in all things consult and advise with our said Executive Council; and that you do not exercise the powers and authorities aforesaid, or any of them, except by and with the concurrence and advice of our said Executive Council, save and except only in such cases as are hereinafter saved and excepted; (that is to say,) provided always, that nothing herein contained shall extend to prevent your exercising,

unless he may have good reason for not consulting them.

without the advice and consent of our said Executive Council, the several powers and authorities, or any of them, which may be of so urgent and pressing a nature as not to admit of the delay unavoidably incident to the deliberation of our said Council. It is nevertheless our pleasure, that the measures adopted by you without the advice of our said Executive Council, upon any such emergency, shall, with all convenient speed, be by you brought before our said Executive

Sanction of Council, however, must be asked.

Council, for their revision and sanction; provided also, that nothing herein contained shall prevent your exercising the several powers and authorities aforesaid, or any of them, without the advice and concurrence of our said Executive

Nevertheless, Governor to judge when it may be expedient to consult the Executive Council.

Council in any case or upon any occasion which may not appear to you to be sufficiently important to require their assistance and advice, or which may be of such a nature that in your judgment our service would sustain material prejudice by consulting our said Executive Council thereupon.

36. And it is our further will and pleasure, that no question shall be brought before our said Executive Council for their advice or decision, excepting only such questions as may be proposed by you for that purpose; provided nevertheless, and it is our will and pleasure, that if any member shall deem it expedient

All questions for Executive Council to be proposed by Governor.

that any question should undergo the deliberation of the said Executive Council, and shall, by application in writing to you, request and propose that such question should be so discussed, it shall be competent to any such member to enter upon the minutes of the said Executive Council such his written application to you, together with the answer which may be returned by you to the same; and it is our will, and we do further direct, that if in any case you see sufficient cause to dissent from the opinion of the major part or of the whole of our said

Governor may exercise all his powers in opposition to will of Executive Council.

Executive Council upon any question brought by you under their consideration, it shall be competent to you upon any such occasion to execute the powers and authorities vested in the Governor of our said settlements in the Gambia, and of their dependencies for the time being, by the said Charter and commission, and these our instructions, in opposition to such their opinions; it being, nevertheless, our pleasure that in every case it shall be competent to any member of our

Member of Executive Council may record his opinion on the minutes.

said Council to record at length on the minutes of the said Council the grounds and reasons of any advice or opinion he may give upon any question brought under the consideration of such Council; and it being also our pleasure that in the event of your acting upon any occasion in opposition to the advice of the whole or the major part of the said Executive Council, you do, by the first opportunity,

Governor to transmit at once his reasons for acting against advice of Executive Council.

transmit to us, through one of our principal Secretaries of State, a full explanation of the grounds of every such measure, together with complete copies of the minutes, if any, of the said Executive Council relating thereto; and we do further direct that twice in each year a full transcript of all the minutes of the Executive Council of the preceding half-year be transmitted to us, through one of our principal Secretaries of State.

37. And whereas we have by our said recited Charter authorised the Governor of our said settlements, and of their dependencies for the time being, upon sufficient cause to him appearing, to suspend from the exercise of his office within our said settlements and their dependencies any person exercising the same under and by virtue of any commission or warrant, granted or to be granted by us, or

Before suspending any officer, Governor to consult Executive Council;

in our name or under our authority: Now we do charge and require you, that before proceeding to any such suspension, you do consult with the said Executive Council, and that you cause to be recorded in the minutes of the said Council, whether they, or the majority of them, assent or do not assent to the said suspension; and that you do signify, by a statement in writing to the person so to be suspended, the grounds of such your intended proceeding against him, and that you do call upon such person to communicate to you in writing a statement of the grounds upon which he may be desirous to exculpate himself; and that you transmit both of the said statements to us, through one of our principal Secretaries of State, by the earliest conveyance: Provided always, and it is our

pleasure,

pleasure, that the provisions aforesaid shall not apply to the case of the suspension of any officer holding a seat in the said Executive Council. — except in case of a member of the Executive Council.

38. And it is our pleasure, that all commissions to be granted by you to any person or persons for exercising any office or employment in or concerning our said settlements in the Gambia and their dependencies, be granted during pleasure only; and that whenever you shall appoint to any vacant office or employment any person not by us specially directed to be appointed thereto, you shall at the same time expressly apprise such person that such appointment is to be considered only as temporary and provisional, until our allowance or disallowance thereof be signified. — Commissions granted by Governor to be granted during the pleasure of the Crown.

39. And whereas by the said Charter hereinbefore recited we have given and granted unto the Governor of our said settlements and their dependencies for the time being full power and authority, as he shall see occasion, in our name and on our behalf, to grant to any offender convicted of any crime, in any court, or before any judge, justice, or magistrate within our said settlements and their dependencies, a free and unconditional pardon, or a pardon subject to such conditions as by any laws or ordinance hereafter to be in force in our said settlements and their dependencies may be thereunto annexed, or any respite of the sentence of any such offender for such period as to such Governor may seem fit: Now, we do hereby require and enjoin you to call upon the judge presiding at the trial of any such offenders to make to you a written report of the cases of all persons who may from time to time be condemned to suffer death by any sentence of any court within the said settlements and their dependencies; and such reports of the said judge shall by you be taken into consideration at the first meeting thereafter which may be conveniently held of our said Executive Council, where the said judge shall be specially summoned to attend; and you shall not pardon or reprieve any such offenders as aforesaid, unless it shall appear to you expedient so to do upon receiving the advice of our Executive Council therein; but in all such cases you are to decide either to extend or to withhold a pardon or reprieve according to your own deliberate judgment, whether the members of our said Executive Council concur therein or otherwise, entering, nevertheless, on the minutes of the said Council a minute of your reasons at length in case you should decide any such question in opposition to the judgment of the majority of the members thereof. — Governor's power of remitting penalties. — Where criminals may be condemned to death, Governor to call for a report from the judge. — The latter to attend meeting of Executive Council. — Governor empowered to decide on pardoning or not, in opposition to Executive Council.

40. And whereas you will receive through one of our principal Secretaries of State a book of tables in blank (commonly called the Blue Book), to be annually filled up with certain returns relative to the revenue and expenditure, militia, public works, legislation, civil establishments, pensions, population, schools, course of exchange, imports and exports, agricultural produce, manufactures and other matters in the said Blue Book more particularly specified, with reference to the state and condition of our said settlements: Now, we do hereby signify our pleasure that all such returns be accurately prepared, and punctually transmitted to us from year to year, through one of our principal Secretaries of State, and that no officer in our said settlements and their dependencies within whose department it may be to contribute any return or returns for the purposes aforesaid, or to prepare the same when so contributed, shall be entitled to receive, or shall receive, from you any warrant for the payment of his official salary which may become due and payable to him so long as such duty as aforesaid shall be in arrear, or remain unperformed. — Blue Book to be accurately prepared; officers not making returns for Blue Book in due time, to have their salaries stopped.

41. And it is our further will and pleasure, that you do, to the utmost of your power, promote religion and education among the native inhabitants of our said settlements and their dependencies, or of the lands and islands thereto adjoining, and that you do especially take care to protect them in their persons, and in the free enjoyment of their possessions, and that you do by all lawful means prevent and restrain all violence and injustice which may in any manner be practised or attempted against them, and that you take such measures as may appear to you to be necessary for their conversion to the Christian faith, and for their advancement and civilization. — Governor to promote religion and education amongst the natives. — To protect them, and endeavour to convert and civilize them.

42. And we do hereby declare our pleasure to be, that the preceding instructions shall be taken and understood as addressed to the Governor for the time being of our said settlements and their dependencies, or to the officer for the — These instructions to be considered as addressed generally to the officer for the

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time being administering the Government thereof, notwithstanding the same or any part thereof may be in terms addressed to you, the said Henry Frowd Seagram.

Power of revoking and altering instructions reserved to the Crown.

43. And we do hereby reserve to ourselves, our heirs and successors, full power and authority from time to time to revoke, alter, renew, or explain these our instructions, or any part thereof.

V. R.

— No. 3. —

No. 3. VICTORIA R.—ADDITIONAL INSTRUCTIONS, appointing the Queen's Advocate in the Gambia to be a Member of the Executive Council.

ADDITIONAL INSTRUCTIONS to our trusty and well-beloved *Charles Fitzgerald*, Esq., Commander in our Navy, our Governor and Commander-in-Chief in and over our Settlements in the River Gambia and their Dependencies, or, in his absence, to our Lieutenant-Governor, or the Officer administering the Government of our said Settlements and their Dependencies for the time being. Given at our Court at Buckingham Palace this 3d day of May 1845, in the Eighth Year of our Reign.

Recital of Charter of 24th June 1843.

WHEREAS by our Charter, under the Great Seal of our United Kingdom of Great Britain and Ireland, bearing date at Westminster the 24th day of June 1843, in the seventh year of our reign, we did authorise the Governor of our settlements in the Gambia and of their dependencies for the time being, to summon, as an Executive Council such persons as may from time to time be named or designated by us in any instructions under our signet and sign manual, addressed to him in that behalf:

Appointing Queen's Advocate member of the Executive Council.

Now know you, that, in exercise of the power so reserved to us, we have thought fit by these our present instructions, under our signet and sign manual, to nominate and appoint our Advocate for our said settlements and their dependencies for the time being, or the person for the time lawfully acting in that capacity, to be a member of the said Executive Council.

V. R.

— No. 4. —

No. 4. VICTORIA R.—ADDITIONAL INSTRUCTIONS to Governor *MacDonnell*, relative to administering some and omitting certain other Oaths, 16 October 1847.

ADDITIONAL INSTRUCTIONS to our trusty and well-beloved *Richard Graves MacDonnell*, Esq., our Governor and Commander-in-chief in and over our Settlements in the River Gambia for the time being, or to our Governor and Commander-in-chief in and over our said Settlements for the time being, or to our Lieutenant-Governor or the Officer administering the Government of our said Settlements for the time being. Given at our Court at Windsor this 16th day of October 1847, in the Eleventh Year of our Reign.

Recites oaths ordered to be administered under Charter of 1843.

WHEREAS by our Charter, under the Great Seal of our United Kingdom of Great Britain and Ireland, bearing date at Westminster the 24th day of June 1843, in the seventh year of our reign, we did make provision for the government of our settlements in the River Gambia, on the West Coast of Africa, and of their dependencies: And whereas by our instructions, under our sign manual and signet, bearing date the 24th day of June 1843, addressed to our trusty and well-beloved Henry Frowd Seagram, esq., commander in our navy, our Governor and Commander-in-chief in and over our said settlements and their dependencies, being the instructions accompanying our Charter aforesaid, we did, among other things, require certain oaths, therein particularly mentioned, to be administered to our chief officers, and to other persons holding any office or place of trust or profit, or who should at any time or times pass into our said settlements and their dependencies, or be resident therein, as upon relation being thereunto

thereunto had will more fully and at large appear: And whereas we deem it expedient to make other provision in regard to the oaths so appointed to be administered to the persons aforesaid:

That part of Charter and instructions revoked.

Now, therefore, by virtue and in the exercise of the power and authority reserved to us by our said instructions, we do hereby revoke so much of our said instructions, but no further, as relates to the oaths aforesaid.

Oath of allegiance to be administered, except where some other oath may be specially prescribed by law.

Administering oaths.

And we do hereby authorise and require you, from time to time, and at any time hereafter, by yourself, or by any other to be authorised by you in that behalf, to administer to all and every person or persons, as you shall think fit, who shall hold any office or place of trust or profit, or who shall at any time or times pass into our said settlements, or who shall be or abiding therein, the oath commonly called the oath of allegiance, save only in cases wherein any other oath or oaths is or are prescribed by the statutes in that behalf made, or by any of these statutes, in which case it is our pleasure, and we do hereby direct, that you do administer to such persons such other oath or oaths as aforesaid.

V. R.

— No. 5. —

No. 5.

Victoria R.—5th March 1852.—Order in Council enabling the Legislatures at the Gambia and at Sierra Leone to alter or repeal previous Orders in Council regulating Trade at the Gambia and Sierra Leone. [This Order in Council will be found printed at page 35].

— No. 6. —

Bathurst.

No. 6.

Thomas Lewis Ingram, Acting-Governor, &c.

Victoria R.—28th March 1844.—Ordinance to repeal an Act of the Governor and Council of Sierra Leone, passed on the 28th day of October, in the year of our Lord 1825, and intituled, "An Act for the easy and speedy Recovery of Small Debts, and for regulating the Proceedings thereon," and to establish a Court of Requests in and for the British Settlements upon the River Gambia, and to ensure the easy and speedy Recovery of Small Debts within the said Settlements.

Preamble.

1. Whereas, in consequence of Her Majesty having been pleased to erect the Gambia settlements into an independent Colony, it is expedient to repeal the Act under which debts of 10 *l.* and under are sued for and recovered within the said settlements, and which Act was passed at Sierra Leone, on the 28th day of October, in the year of our Lord 1825, and intituled, "An Act for the easy and speedy Recovery of Small Debts, and for regulating the Poceedings thereon," and because the said recited Act is in many respects inapplicable to the present state and position of these settlements: And whereas it is expedient to make provision for the immediate establishment of a Court of Requests in and for the said settlements:

Repealing Act of the Governor and Council of Sierra Leone.

2. Be it therefore enacted, by the acting Governor of the British settlements upon the River Gambia, by and with the advice and consent of the Legislative Council thereof, that the above recited Act, so far as regards its operation within these settlements, be, and the same is hereby declared to be repealed.

Establishing Court of Requests, with jurisdiction over causes of debt of 10*l.* and under.

3. And be it further enacted, by the authority aforesaid, that a Court of Requests in and for the British settlements upon the River Gambia be forthwith established, which said court shall have full power and authority to hear and determine, in a summary manner, under such rules and regulations as are herein set forth, all such actions and suits as shall be brought before it, where the debt, duty, or matter in dispute shall not exceed or be more than the value of 10 *l.*

Authorising the appointment of Commissioners by the Governor for the time being.

4. And be it further enacted, by the authority aforesaid, that the Governor for the time being of the said settlements be hereby empowered and required to appoint a certain number of Commissioners of the said Court of Requests, that

is to say, not less than four for the town and district of Bathurst, and a certain number, not less than two, for the district of MacCarthy's Island, which said Commissioners, or any two of them, shall be empowered and authorised to hold their sittings in their respective districts, in a fit and appropriate room to be assigned to them for that purpose by the Colonial Government every second Friday after the promulgation of this Ordinance, provided such Friday be not a holiday, and in that case, on the next lawful day succeeding such holiday (provided there be any business), from the hour of eleven in the forenoon to one of the clock in the afternoon, or longer if the business shall require, to hear and determine all such cases as shall be brought before them not exceeding the amount aforesaid.

To hold their sittings in a room to be assigned them on every second Friday.

5. And be it further enacted, by the authority aforesaid, that the said Commissioners, or any two of them (after taking before the Governor for the time being, immediately upon their appointment, the oath usually taken by and administered to Commissioners of the Court of Requests in and for the city of London, *mutatis mutandis*), shall have full power and authority by virtue of this Ordinance, from time to time to make, or cause to be made, such order or orders, decrees, judgments, and proceedings between party and party, or otherwise, as may be hereinafter provided, touching such debts or demands, and to award such reasonable costs of suit, as they shall find to stand with equity and good conscience, and may thereby order and direct the payment of any such debt or demand, to be made either in one sum at once, or by instalments at stated periods, as they shall see cause and deem just and reasonable, all which orders, or any of them, decrees, judgments, and proceedings so to be made, shall be registered in a book or books to be kept for that purpose by the clerk of the said court, and as well the party plaintiff, or parties plantiffs, as the debtor or defendant, debtors or defendants, whom such order or orders, decrees, judgments, and proceedings shall respectively concern, shall observe and keep the same respectively, in all points: Provided always, that in each and every cause where the debt or demand shall not exceed the sum of 2 *l.* sterling, no such orders, decrees, judgments, or proceedings shall be removed or be removable into any other court by any process whatever.

The Commissioners, or any two of them, to hear causes on taking the usual oath.

Commissioners may make such order as they shall deem just between party and party.

Empowered to order payment of debts by instalments at stated periods.

Orders, decrees, &c. to be registered in a book to be kept for that purpose.

6. And be it further enacted, by the authority aforesaid, that where the debt or demand shall exceed the sum of 2 *l.*, the party or parties plaintiff or plaintiffs, or the party or parties defendant or defendants, should they, or either of them, think himself, herself or themselves aggrieved by the order or orders, decrees or judgments of the said Commissioners, or any two of them in court assembled, may appeal to the Court of Common Pleas and of Record in and for the said settlements, which said court is hereby authorized and empowered to hear and determine such appeals, and the judgment of the said Court of Common Pleas, which shall be delivered in banco, shall be final, and that court is hereby authorized and empowered to issue execution thereon, in such manner and form as the chief justice of the said court shall prescribe: Provided that no party shall suffer imprisonment for a longer period than he would have done had the execution issued from the said Commissioners, instead of the said Court of Common Pleas.

No order or decree of the Commissioners removable to any superior court where debt does not exceed 2 *l.*

Where debt exceeds 2 *l.*, an appeal may be had to the Court of Common Pleas.

Court of Common Pleas empowered to hear and determine appeals, and the judgment of that court to be final.

The said court empowered to issue execution in such manner as the Chief Justice shall prescribe.

7. And be it further enacted, by the authority aforesaid, that all acts, judgments, orders and decrees made by the Commissioners appointed by virtue of the said Act of the Governor and Council of Sierra Leone, and all executions, distresses, imprisonments, penalties, forfeitures and proceedings to be done, suffered or executed in pursuance of such judgments, orders and decrees, or any or either of them, shall be valid and effectual, in the same manner, to all intents and purposes, as if the said recited Act had not been repealed, or this Ordinance had not been passed, and may be executed and enforced against all persons liable thereto by the Commissioners and the officers acting in the execution of this Ordinance, in the same manner, to all intents and purposes, as if such judgments, orders, and decrees respectively had been made by the Commissioners acting in the execution and under the authority of this Ordinance.

All acts of Commissioners under former Act to be valid.

8. And be it further enacted by the authority aforesaid, that the said Commissioners, in and for their respective districts, shall have full power and authority to administer oaths and affirmations while in the discharge and execution of the several duties imposed on them by this Ordinance, and to frame such rules

Power to administer oaths and affirmations while in discharge of duties imposed on them by this Ordinance.

of

of practice, and to do all such other things as shall be found necessary for the due execution of the powers given them by this Ordinance, so as the same shall be subject to the control and alteration of the chief justice of the Court of Common Pleas.

Power to frame rules of practice, &c.

9. And be it further enacted, by the authority aforesaid, that the Governor for the time being shall be authorized and empowered to appoint a clerk and one or more beadles, who shall receive such salary as he may think fit to allow them, and that a table of fees to be allowed to the said clerk shall be settled by the chief justice, and shall be written out fair, and signed by the clerk of the council, and constantly fixed up in some conspicuous part of the room where the Commissioners shall respectively sit to hear and determine causes, and that it shall be lawful for the chief justice of the Court of Common Pleas to vary such table of fees in such manner as he shall think fit and proper.

Governor to appoint clerks, and one or more beadles.

Table of fees to be hung up in the room where the Commissioners shall hold their sittings.

10. And be it further enacted, by the authority aforesaid, that the ordinary process in every cause shall be by summons, which summons shall express the time and place of appearance and cause of action, and shall be served by the proper officer, who shall be one of the beadles of the said court, at least two days before the time of trial.

The ordinary process to be by summons, which shall state the time and place of appearance.

11. And be it further enacted, by the authority aforesaid, that the clerk of the said court is hereby empowered to issue all summonses, warrants, precepts, and executions, all which shall be under the seal of the court, and to register all orders, decrees and judgments of the said court.

Clerk to issue all summonses, warrants, &c., which shall be under the seal of the court.

12. And be it further enacted, by the authority aforesaid, that the beadles, or either of them, shall serve all summonses, and execute such orders, warrants, precepts and executions, and do and perform all such other matters and things as may be required to be done by them respectively, by virtue of this Ordinance, and that if any of the said officers shall refuse or neglect to perform any of the duties hereby imposed on him, or shall otherwise misbehave himself in the execution of his office, it shall and may be lawful to and for the Commissioners present at any meeting or court under the authority of this Act, or the major part of them, the number present not being less than three, to impose such fine or forfeiture upon the said officer so offending, not exceeding one guinea for each offence, as the said Commissioners shall deem adequate.

Beadles, or either of them, to serve all summonses, and execute orders, warrants, &c.

13. And be it further enacted, by the authority aforesaid, that if any debtor or debtors who shall have been duly summoned as aforesaid, shall not appear in person, or by his, her or their agent, or some other person, on his, her or their behalf, before the said Commissioners, or any two of them, at the time and place mentioned in the said summons, upon proof on oath of the service of the summons, provided the debt or demand shall not exceed the sum of 40*s*., it shall be lawful for the said Commissioners, or any two of them, and they are hereby required and empowered to hear and determine such suit, and award execution thereon, in the same manner as they would have done had the debtor or debtors duly appeared.

If debtor make default, the Commissioners, or any two of them, upon proof of the service of the summons, if the debt be under 40*s*., may summarily hear and determine the cause.

14. And be it further enacted, by the authority aforesaid, that if any debtor or debtors who shall have been duly summoned as aforesaid, shall not appear either in person, or by his, her or their agent, or some other person, on his, her or their behalf, before the said Commissioners, or any two of them, at the time and place mentioned in the said summons, then and in every such case where the debt, duty or matter in dispute shall exceed the sum of 40*s*. sterling, it shall be lawful for the said Commissioners, or any two of them, in court assembled, to hear the cause on the part of the plaintiff or plantiffs only, and to make such order, decree or judgment therein as to them shall seem just and equitable, and to appoint some certain time and place, according to their discretion, for such debtor or debtors to show cause before the said Commissioners, or any two of them, against such order, decree or judgment so pronounced *ex-parte* as aforesaid, at which time and place, or at any subsequent court or courts, it shall be lawful for the said Commissioners, whether such debtor or debtors shall then appear and show cause or not, upon proof on oath made that a copy of such order, decree or judgment had been given to such debtor or debtors, or left with his, her or their servant, or other person belonging to him, her or them, or at the dwelling-house, lodging or place of abode of him, her or

If any debtor does not appear when duly summoned, Commissioners may proceed ex parte.

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them, within the jurisdiction of the said court, to make and prononnce such fina order, judgment or decree therein, and to award such reasonable costs, as to them shall seem just and equitable.

Not to hear or determine causes involving the title to real property, &c.

15. And be it further enacted, by the authority aforesaid, that nothing in this Ordinance contained shall extend, or be construed to extend, so as to enable the said Commissioners to determine the right or title to any lands, tenements or hereditaments, or of any chattels real whatsoever, or to judge, determine, or decide in any debt where the title of a freehold or lease for years of any lands, tenements or hereditaments, or of any chattels real whatsoever, shall be brought or come into question, or to hear, determine or decide any action or suit for assault and battery, or of slander or trespass.

Commissioners may award execution against the goods and chattels in the first instance.

16. And be it further enacted, by the authority aforesaid, that in any action, cause or question where the said Commissioners, or any two of them shall have made an order or decree for the payment of money, it shall be lawful for the said Commissioners, or any two of them, in case of default or failure of such payment at the times and in the manner thereby directed, to award execution, in the first instance, against the goods and chattels of the party or parties against whom such order or decree shall be made; and thereupon it shall be lawful for the clerk, at the prayer of the party prosecuting such order or decree for the payment of money, to issue a precept under his hand and the seal of the court to a beadle of the said court; and such beadle shall and may, and he is hereby empowered to levy, by sale of the goods and chattels of such party or parties, such sum or sums of money, and costs, as shall be so ordered, decreed or adjudged; and if the said beadle to whom such precept shall have been issued, shall certify and make a return thereon in writing, under his hand, that the said party or parties against the goods and chattels of whom execution shall have been awarded, hath or have no goods and chattels, or not sufficient goods and chattels whereon or whereby such levy can be made, then, and in every such case, it shall be lawful for the said Commissioners to award execution against the body or bodies of the party or parties against whom such order or decree shall have been made for the whole or so much of such sum or sums of money, and costs, so ordered or adjudged as shall then remain unsatisfied; and thereupon it shall be lawful for the clerk of the said court, at the prayer of the party prosecuting such order or decree for the payment of money, to issue a precept, under his hand and the seal of the court, to a beadle of the said court, who shall and may, and is hereby empowered to take such party, who shall remain in custody until he, she or they shall perform and obey such order, decree or judgment, for the space of time hereafter in that behalf particularly ordered and directed.

If there be no goods and chattels, or not sufficient goods and chattels, then the Commissioners may award execution against the body of the party convicted.

Regulating the sale of goods taken in execution.

17. And be it further enacted, by the authority aforesaid, that no sale of any goods which shall be taken under or by virtue of any precept or execution to be issued in manner aforesaid, shall take place or be made until after the expiration of ten days at least next following the day on which such goods shall have been so taken; and in the mean time, and until any such sale shall be made, the goods taken by virtue of any precept as aforesaid shall be deposited by the beadle taking or levying the same, in some fit and convenient place to be assigned to him for that purpose.

Clerk to indorse debt and costs on warrant, and if paid to the clerk of the court before sale, execution to be superseded.

18. And be it further enacted, by the authority aforesaid, that upon each and every precept to be issued upon execution awarded against the body or goods and chattels of any person or persons whomsoever, the clerk of the said court for the time being shall indorse, or cause to be indorsed, the sum or sums of money, and the costs so ordered, decreed or adjudged; and if the party or parties against whom such execution shall be awarded respectively, shall, before any actual sale of the goods and chattels, or before he, she or they is or are apprehended, or before the expiration of the term of his, her or their imprisonment, as hereinafter mentioned, pay or cause to be paid or tendered unto the said clerk such sum or sums of money and costs, then, and in every such case, the execution shall be set aside, and the body or goods and chattels of the said party or parties shall be discharged and set at liberty.

Limitation of imprisonment of debtors.

19. And be it further enacted, by the authority aforesaid, that no person or persons whomsoever, who shall be committed by order of the said court of requests, shall be kept or continued in custody for any longer period of time from

from the date of his, her or their commitment to prison for each separate cause, than is hereinafter next limited in that behalf (that is to say), where the debt, exclusive of costs, does not exceed 10 *s.*, then he, she or they shall be kept or continued in custody for not more than 10 days; and where the debt, exclusive of costs does not exceed 40 *s.*, then not more than 20 days; and where the debt, exclusive of costs, exceeds 40 *s.*, and does not exceed 5 *l.*, then not more than five weeks; and where the debt, exclusive of costs, shall exceed 5 *l.*, then for any period not more than two calendar months; and all gaolers and keepers of prisons within the said settlements are hereby directed and required to discharge such persons accordingly, without claiming or taking any fee whatever for their own use.

Commissioners to allow any sum not more than 6 *d.* per diem for the support of any debtor imprisoned by virtue of this Ordinance.

20. And be it further enacted, by the authority aforesaid, that in every case in which any defendant shall be committed to any common gaol or prison within the said settlements, by virtue of this Ordinance, for want of sufficient goods and chattels, it shall be lawful for the said Commissioners, or any two of them, if they shall think fit, to direct the plaintiff to pay the said defendant any sum not exceeding 6 *d.* sterling per diem for his support and maintenance during his imprisonment.

When debts are due from partners, summoning one of them shall be sufficient.

21. And be it further enacted, by the authority aforesaid, that when any debt or demand shall be due, owing or claimed from any two or more persons jointly, or by reason or on account of such persons being partners in trade, or otherwise jointly concerned, service of such summons and order as aforesaid, on any one of such partners or persons, or left at his, her or their usual place of abode, shall be as good and sufficient as if each of such partners or persons were separately summoned as aforesaid.

Statutes of Limitations may be pleaded.

22. And be it further enacted, by the authority aforesaid, that all defendants in the said court shall be allowed to plead or claim any statute of limitations now in force, or hereafter to be made; and every defendant so pleading or claiming, shall have and receive such and the like advantage and relief thereby as such defendant would have been entitled to in case this Ordinance had not been passed, and he, she or they had been sued for the same debt or other cause of action in the Court of Common Pleas in and for the said settlements, and had there pleaded such statute in bar to the action or suit.

If a witness, being duly summoned, fail to appear, or appearing, refuses to give evidence, Commissioners may fine him in any sum not exceeding 40 *s.*

23. And be it further enacted, by the authority aforesaid, that upon any person being summoned as a witness in any cause, who shall not appear at the time and place appointed, provided such summons shall be served two days prior to the time of trial, or, appearing, shall refuse to swear or give evidence, such person shall forfeit and pay such fine or fines not exceeding the sum of 40 *s.* as the said Commissioners shall think reasonable to impose; and it shall and may be lawful for the said Commissioners to award execution for the same, in the same manner as in any action or suit by them heard and determined, as aforesaid.

No person to prosecute or defend a cause for another, unless he does so without fee or reward

24. And be it further enacted, by the authority aforesaid, that it shall not be lawful for any person whatsoever to prosecute or defend in court any suit or action to be tried before the said Commissioners, or any two of them, to which such person offering or appearing to prosecute or defend, shall, if required so to do, previously swear before the said Commissioners that he has not received or taken any fee or reward for the same, either directly or indirectly, nor any other person to or for his use, and that he will not directly or indirectly receive or take any fee or reward for the same, either by himself, or by any other person to or for his use.

Governor may remove any Commissioner or clerk, or other officer, upon reasonable cause, but to fill up the vacancy within one week.

25. And be it further enacted, by the authority aforesaid, that it shall and may be lawful for the Governor for the time being, upon reasonable cause, to remove any of the Commissioners aforesaid, as also the clerk of the said court, or any officer thereof: Provided always, that in case of the removal of any Commissioner or officer as aforesaid, he, the said Governor, shall fill up the vacancy within one week.

Limitation of actions.

26. And be it further enacted, by the authority aforesaid, that no action or suit shall be commenced or instituted against any person or persons acting under or by virtue of this Ordinance, after three calendar months from the date of the commission of the act or grievance complained of, in respect of which the right of action accrued.

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Proceedings not to be quashed for want of form.

27. And be it further enacted, by the authority aforesaid, that no order, verdict, or judgment, or other proceeding made, touching or concerning any of the matters aforesaid, or any matter or thing in this Ordinance contained, except as hereinbefore provided, or touching or concerning the conviction of any offender or offenders against this Ordinance, shall be quashed or vacated for want of form, or be removed or removable into any superior court whatever, either by *certiorari* or any other description of writ.

For supporting the dignity of the court, and to prevent insult.

28. And be it further enacted, by the authority aforesaid, for the more effectually maintaining the dignity and consequence of the said court, and to protect the Commissioners, clerks and officers of the said court from insult, that if any person or persons shall contemptuously and wilfully insult or abuse all or any of the said Commissioners, clerks, or officers of the said court, for the time being, during his, her, or their sitting or attendance in the said court, or going to or from the said court, or shall interrupt or obstruct the proceedings of the said court, then and in every such case it shall be lawful for the beadle or beadles of the said court, with or without the assistance of any other person or persons, by order of the said Commissioners then sitting, or any three or more of them, to take such offender or offenders into custody, and carry him, her or them before one or more of Her Majesty's Justices of the Peace in and for the British settlements upon the River Gambia, within the respective districts of the said Commissioners (provided such justice or justices shall not then be a commissioner or commissioners of the said court), to answer for such offence; and upon the fact alleged being duly proved upon the oath or oaths of one or more credible witnesses against him, her or them, then and in such case the said justice or justices shall proceed to punish such offender or offenders by fine or imprisonment, or both, provided that the fine on any one person do not exceed the sum of 5*l.*, and that the imprisonment be not for any longer space of time than seven days.

— No. 7. —

No. 7.

BATHURST.

Richard Graves Macdonnell, Governor.

VICTORIA R.—11th June 1851.—ORDINANCE to repeal an Ordinance establishing a Supreme Court of Civil, Criminal, and Equity Jurisdiction, and also a Court of Appeal therefrom, for the British Settlements in the River Gambia and their Dependencies, and to establish other Provisions in lieu thereof.

Preamble.

WHEREAS the separation of these settlements and their dependencies from the colony of Sierra Leone, and divers other reasons, have rendered it necessary to establish in the said settlements a Court of Record, possessing supreme civil, criminal, and equity jurisdiction, within the said setttlements and their dependencies: And whereas it is therefore necessary that certain Acts passed at Sierra Leone, establishing a Court of Common Pleas and a Court of Appeal in the said settlements, and also an Ordinance enacted by the Governor and Council of these settlements establishing a Court of Queen's Bench therein, and an Ordinance enacted by the said Governor and Council establishing a Supreme Court of Civil, Criminal, and Equity Jurisdiction, should be repealed:

Two Acts passed by the Governor and Council of Sierra Leone, and also two Ordinances of the Governor and Council of the Gambia, repealed.

1. Be it therefore enacted by the Governor of the British settlements in the River Gambia, by and with the advice and consent of the Legislative Council thereof, that from and after the proclamation of this Ordinance, an Act passed by the Governor and Council of Sierra Leone, and intituled, "An Act for establishing a Court of Common Pleas in and for the British Settlements in the River Gambia;" and also an Act passed by the Governor and Council of Sierra Leone, and intituled, "An Act to amend an Act of the Governor and Council, intituled, 'An Act for establishing a Court of Common Pleas in and for the British Settlements in the River Gambia, and establishing a Court of Appeal from the said Court of Common Pleas;'" and also an Ordinance enacted by the Governor and Council of the said settlements, and intituled, "An Ordinance to establish a Superior Court of Civil and Criminal Jurisdiction, and also a Court of Appeal therefrom, in the British Settlements in the Gambia;" and also an Ordinance enacted on the 17th

day

day of February, in the year of our Lord 1849, and intituled, "An Ordinance to establish a Supreme Court of Civil, Criminal, and Equity Jurisdiction, and also a Court of Appeal therefrom, for the British Settlements in the River Gambia and their Dependencies," except so far as any provisions of the last-recited Ordinance may be re-enacted and confirmed by this Ordinance, or any part thereof, shall be and the same are hereby respectively repealed.

A court of record to be established, and called the Supreme Court.

2. And be it further enacted, that there shall be constituted and established, and there is hereby constituted and established, a court of law and equity, to be called and known by the name and style of the "Supreme Court of the British Settlements in the Gambia," which shall be a court of record of original jurisdiction, and shall possess all such powers and authorities as by the laws of England are incidental to a superior court of civil and criminal jurisdiction, and may and shall hold plea in all and all manner of actions, causes, suits, or proceedings, as well criminal as civil, real, personal, and mixed, arising, happening, or being within the said settlements or their dependencies; and may and shall proceed in such actions, causes, and suits, by such process and courses as shall tend with justice and despatch to determine the same; and shall hear and determine all issues of law, and shall also hear all issues of fact that may be joined in any such action, cause, or suit as aforesaid, and determine the same by an inquest of good and lawful men (except in such cases wherein, by the practice and mode of proceeding of the said Supreme Court, the court alone shall determine all questions as well of fact as of law), and judgment thereon give, and execution thereof award, in as full and ample a manner as can or may be done in Her Majesty's Court of Queen's Bench, Common Pleas, or in matters which regard the revenue of the Crown within the said settlements and their dependencies, and arising therein, as fully and amply as can be done by the Court of Exchequer in England.

To possess the power and authority of a superior court of civil and criminal jurisdiction.

Also an equity jurisdiction.

3. And be it further enacted, that an equity jurisdiction shall be attached to the said Supreme Court, and the said court shall have jurisdiction, and possess the like power and authority within the settlements aforesaid and their dependencies, as by the laws of England is possessed by the High Court of Chancery within the realm of England, in respect of the matters hereinafter enumerated; that is to say, in all cases of fraud, and in all matters relating to trusts, and in all matters relating to executors and administrators, except where special provision hath been or may hereafter be made with respect to them or either of them by any law of these settlements, and in all matters relating to mortgages and dower, and in all matters relating to infants, idiots, and lunatics, and their estates, and in all matters relating to awards, and compelling the specific performance of agreements, and the discovering of concealed papers or evidence, or such as may be wrongfully withheld from the party claiming the benefit of the same; and to prevent multiplicity of suits, and to stay proceedings prosecuted against equity and good conscience, and to stay waste in all cases of accidents, and in all cases relating to co-partnership.

In cases of fraud in trusts, executors, and administrators.

Mortgages, dower, infants, idiots, and lunatics.

Awards, specific performance, discovery.

To prevent suits against conscience.

Waste, accident, account and partnership.

Who shall preside therein, and where the same shall be holden.

4. And be it further enacted, that Her Majesty's chief justice of these settlements, or the person or persons for the time being lawfully acting in that capacity, shall compose the said Supreme Court, which said Supreme Court shall be holden within the town of Bathurst in the said settlements.

Number of the jury in civil causes to be seven.

5. And be it further enacted, that whenever any issue of fact joined in any civil action, cause, or suit depending in the said Supreme Court, shall be tried by a jury, seven jurymen shall be impanneled and sworn as occasion shall require, to give their verdict in the cause, suit, or action which shall be brought before them in the said Supreme Court; and either and any of the parties to any such cause, suit, or action shall be entitled to his lawful challenge against all or any of the said jurors, in like manner as he would be entitled to the same in any superior court of record in England, and the jurymen so sworn shall be required to give a unanimous verdict.

Their verdict must be unanimous.

A particular seal to be used by Supreme Court.

6. And be it further enacted, that the said Supreme Court shall have and use, as occasion may require, a seal bearing a device and impression of the Royal arms, with a label surrounding the same with this impression, "The seal of the Supreme Court of the British Settlements in the Gambia;" which said seal shall be delivered to, and be kept in the custody of the said chief justice, or person lawfully acting in that capacity, or in his discretion in the custody of the registrar hereinafter mentioned of the said Supreme Court.

Registrar to be attached to Supreme Court, and appointed by the Governor.

7. And be it further enacted, that there shall be attached to and belong to the said Supreme Court, an officer to be appointed by the Governor of the said settlements, or person administering the government of the same, subject to the approval of Her most Gracious Majesty, Her heirs and successors; which said officer shall hold his office during the pleasure of Her Majesty, Her heirs and successors, and

His duties.

shall discharge the duties of registrar, master, and keeper of records of the said Supreme Court, together with such other duties as shall appear to the said chief justice for the time being to be necessary, either in the said court, in banco, or before the said chief justice sitting in chambers for the administration of justice, and the due execution of the powers and authorities which are granted and committed to the said Supreme Court by this Ordinance or any part thereof, and also all such duties as have hitherto been performed by the officer heretofore styled the clerk of the courts, during the actual sitting of any court of oyer and terminer and general gaol delivery within the said settlements, and that the said officer

Officers to be appointed by the Governor,

shall be styled registrar of the said Supreme Court and clerk of the Crown; and, in addition to the said registrar, there shall be and belong to the said court such and so many other officers as to the said chief justice of the said court for the time being shall, from time to time, appear to be necessary for the administration of justice, and the due execution of all the powers and authorities which are granted

and removable by the court.

and committed to the said court by this Ordinance, or any part thereof: Provided nevertheless, that all persons who shall and may be appointed to any office within the said Supreme Court, other than the office of registrar aforesaid, shall be so appointed by the Governor or officer administering the government for the time being of the said settlements, and shall be subject to be removed by the said court from their offices therein upon reasonable cause.

Supreme Court empowered to enrol the practitioners of said court,

8. And be it further enacted, that the said Supreme Court shall be empowered and authorised, and the said court is hereby empowered and authorised, to approve, admit, and enrol, according to such general rules and qualifications as the said Supreme Court shall for that purpose promulgate and establish, such persons as to the said Supreme Court shall seem fit, to act as well in the character of barristers and advocates as of attorneys and solicitors in the said Supreme Court; which persons so approved, admitted, and enrolled as aforesaid, shall be, and they are hereby authorised to appear, and plead, and act for the suitors, prosecutors,

and to remove or suspend them upon reasonable cause.

defendants, and accused parties in the said Supreme Court, and shall be subject always to be removed or suspended by the said Supreme Court from their station therein upon reasonable cause: Provided nevertheless, that every party to any action,

Provided that any party to an action before the Supreme Court may employ any other person in his cause than an admitted practitioner.

suit, or other proceeding before the said Supreme Court, shall have the power to appoint, by any authority in writing, any other person or persons than the admitted practitioners aforesaid, to conduct or defend his or her cause, and represent his or her interest, in any action, suit, or proceeding aforesaid; and the person or persons so appointed shall be entitled to and enjoy all the privileges and emoluments of a regularly admitted practitioner of the said Supreme Court, for and during the conduct of such case, action, or suit aforesaid, but no longer.

Chief justice to frame and publish rules of practice, &c.,

9. And be it further enacted, that it shall and may be lawful for the said chief justice, or the person lawfully acting in that capacity, and he is hereby authorised and directed, to frame, make, and publish from time to time such rules and orders regulating the practice, process, and pleadings in the said Supreme Court, in all matters and proceedings whatsoever which may take place in or before the said court, under or by virtue of the civil, criminal, and equity jurisdiction belonging to or possessed by the said court, as well as from time to time to

and to establish fees to be taken by all officers of the court.

ascertain, determine, declare, and adjudge all and singular the fees which shall and may be taken, or be allowed to be taken, by any registrar, counsel, attorney sheriff officer, or other person, from or in respect of any business done or, transacted in the said Supreme Court in civil causes and in criminal proceedings before the said Supreme Court, and in all matters and things which shall or may be depending in the said court, or which may regard the revenue of the Crown:

Such rules and orders to be approved and confirmed by the Governor and Council before coming into operation.

Provided nevertheless, that no such rules, orders, or regulations, or any of them so made, published, declared, or adjudged as aforesaid, shall be of any force or effect whatever until approved and confirmed by the Governor of the said settlements or officer administering the government of the same, and the Legislative Council thereof; and provided that it may be lawful for the Governor or officer administering the government, by and with the advice of the Legislative Council thereof, to make all alterations in all such rules of practice and tables of fees

aforesaid,

aforesaid, which may appear expedient to the said Governor or officer administering the government, by and with the advice of the said Legislative Council thereof.

Chief justice to appoint Commissioners for taking affidavits.

10. And be it further enacted, that the chief justice or chief commissioner of the said Supreme Court for the time being, shall and may, by one or more commission or commissions under the seal of the said court, from time to time, as need shall require, empower what and as many persons as he shall think fit and necessary, within the said settlements and their dependencies, to take and receive all and every such affidavit and affidavits as any person or persons shall be willing and desirous to make, before any of the persons so empowered in or concerning any cause, matter, or thing, depending or hereafter to be depending in, or in anywise concerning any of the proceedings to be had in the said Supreme Court; which said affidavits taken as aforesaid, shall be filed in the office of the registrar of the said court, and shall and may be read and made use of in the said court to all intents and purposes as other affidavits taken in the said court ought to be, and that all and every affidavit and affidavits taken as aforesaid shall be of the same force as affidavits taken in the said court shall and may be; and all and every person or persons forswearing him, her, or themselves in such affidavit or affidavits, shall incur and be liable to the same pains and penalties as if such affidavit or affidavits had been made and taken in open court.

Penalties of perjury for false swearing.

Proceeding when chief justice is interested in action, cause, or suit depending before Supreme Court.

11. And be it further enacted, that in the event of the chief justice or acting chief justice of the said Supreme Court being absent, or incapacitated by illness from attending to the duties of his said office, and from presiding in the said court, and in the event of the said chief justice or acting chief justice having or claiming any pecuniary interest in any action, cause, or suit depending in the said court, it shall not be lawful for the said chief justice or acting chief justice to preside at the trial of any such action, cause, or suit, or to perform any judicial act in regard to the same, whether in the court, in banco, or in chambers; but in such case the Governor of these settlements, or officer administering the government of the same, shall, on application being made to him to that effect by any party or parties interested in any such action, cause, or suit aforesaid, issue a commission under the seal of the said settlements (which said commission shall be valid and endure until the termination of the action, cause, or suit aforesaid, and no longer), constituting and appointing one or more persons, whom he shall select to be a commissioner or commissioners, to execute the office of chief justice or acting chief justice of the said Supreme Court, at the trial of the issue joined in the action, cause, or suit aforesaid, and in all other needful matters and proceedings in the said action, cause, or suit, whether in banco or in chambers; and the said commissioner or commissioners so appointed as aforesaid for the particular and special purpose aforesaid, shall be authorised and empowered to perform all such acts and things in and concerning such action, cause, or suit aforesaid, whether in banco or in chambers, as fully and amply as the said chief justice or acting chief justice might or could himself do and perform the same in any other action, cause, or suit depending in the said Supreme Court.

Governor may appoint one or more persons to act for the chief justice.

Actions depending in former Supreme Court to be removed without prejudice into the Supreme Court established by this Ordinance.

12. And be it further enacted, that no action, cause, suit, information, or proceeding depending in the former or present Supreme Court of the said settlements and their dependencies, shall be annulled, avoided, abated, or discontinued, for or by reason of any change or supposed defect in the constitution of the said last-mentioned court, or the abolition thereof, effected by this Ordinance; but that the same shall be respectively transferred, on the proclamation of this Ordinance, in their then present condition to, and depend respectively, and be prosecuted, tried, and determined respectively, in the said Supreme Court hereby erected, without prejudice to any party to the said action, cause, suit, information, or proceeding, as if they had been respectively first commenced, had, brought, and prosecuted in the said Supreme Court; and that all proceedings or judgments which may have taken place or been given in the Supreme Court first established within the said settlements and their dependencies, shall not be invalidated by reason of any defect or supposed defect in the condition or jurisdiction of any such court aforesaid.

Commissions of oyer and terminer and general gaol delivery to issue as heretofore.

13. And be it further enacted, that nothing herein contained shall prevent, or be construed to prevent, the Governor of these settlements, or the officer administering the government of the same, from issuing commissions of oyer and terminer

terminer and general gaol delivery for the trial of offenders within these settlements, when he shall deem it requisite or expedient that such commissions shall issue.

Court of Appeal, Governor, and Legislative Council.

14. And be it further enacted, that the Governor of these settlements, or officer administering the government, shall, along with the Legislative Council of the said settlements, compose a court of appeal for hearing and determining any appeal from any judgment, order, or decree of the said Supreme Court, which may lawfully be brought before such court of appeal: Provided always, that the Governor or officer administering the government, together with any three members of the said Legislative Council, shall suffice to form a court of appeal as aforesaid, of which said court the Governor or officer administering the government shall be president: Provided, that every member of the Legislative Council shall have a right to attend the hearing of every appeal, and to be present at every proceeding, and to vote at every decision, judgment, order, and decree of the said court of appeal, and shall be summoned to attend every meeting of the said court; and that no meeting of the said court of appeal shall have any jurisdiction unless every member of the said Legislative Council shall have been duly summoned to attend, in accordance with the provisions to be made hereafter by the regulations and rules of practice of the said court of appeal.

Every member of Council entitled to take part in the proceedings of the Court of Appeal.

No member of Council having an interest in the judgment appealed from to be a member of Court of Appeal.

In the event of there not being three members of Council uninterested in the judgment appealed from, vacancies to be supplied by the Governor.

15. Provided always, and be it further enacted, that when any person, for or against whom the judgment, order, or decree appealed from has been given, shall be a member of the said Legislative Council, it shall not be lawful for such person to be a member of the said court of appeal; and in the event of there not being found within the said settlements a sufficient number of other members of the said Legislative Council to compose the said court of appeal, in the manner hereinbefore directed, it shall then and in such case be lawful for the Governor or officer administering the government, and he is hereby empowered and required, to appoint one or more persons to compose the said court of appeal, such person or persons so to be appointed not having any pecuniary interest in the judgment, order, or decree appealed from.

Court of Appeal; its jurisdiction. Appeals may lie from all judgments, orders, and decrees of Supreme Court when given on issues or matters of law.

16. And be it further enacted, that an appeal shall lie to the said court of appeal, except where it may be specially otherwise provided in this Ordinance, from all judgments, orders, and decrees of the said chief justice, or any commissioner or commissioners of the said Supreme Court, on any issues or matters of law, whether at the law or equity side of the said Supreme Court.

Court of Appeal may direct new trials in certain cases.

17. And be it further enacted, that the said court of appeal shall have power to direct new trials of issues of fact, which shall have been tried in the said Supreme Court in civil cases, on the same grounds and conditions on which such new trials as aforesaid are and may be granted by the superior courts of law in England.

Restriction of rights of appeal defined.

18. And be it further enacted, that no appeal shall lie to the said court of appeal from any judgment, order, or decree aforesaid of the said Supreme Court, unless the matter in controversy shall exceed the sum of 30*l.* in value, or shall relate to the taking of any annual, customary, or other rent whatsoever, or shall relate to any duty, fee, or other such like demand of a general and public nature, affecting future rights, of what value or amount the same may be.

Appellant must give security for costs, &c.

19. And be it further enacted, that no appeal whatsoever shall lie to the said court of appeal, until proper and sufficient security shall have been first given in accordance with the rules of practice of the said Supreme Court by the party or parties appellant, that the said party or parties appellant shall effectually prosecute his, her, or their appeal, and shall also pay such costs and damages as shall or may be awarded, in case the judgment, order, or decree appealed from shall be affirmed, whether in whole or in part; and that upon the perfecting of such security as aforesaid, execution of any judgment, order, or decree appealed from shall be stayed in the original cause.

Court of Appeal; how to proceed; rules of practice.

20. And be it lastly enacted, that the said court of appeal shall proceed to the hearing and determining of all such matters as may lawfully be brought before the same with all due and convenient dispatch, and according to such mode and course of proceeding as the Governor or officer administering the government of these settlements, with the advice and consent of the Legislative Council thereof,

shall

shall from time to time, by any rules and orders to be by them made and published, and which they are hereby empowered to make and publish, direct, ordain, and appoint: Provided always, that whenever any judgment, order, or decree of the said Supreme Court shall be set aside, reversed, or altered, either in whole or in part, by the said court of appeal, each member of the said court of appeal shall state in writing his reasons for adjudging the setting aside, reversing, or altering the same, whether in whole or in part, as the case may be, and shall deposit with the registrar of the said court of appeal a copy of such his reasons so given as aforesaid.

When judgment of Supreme Court is reversed, or altered, each member to specify grounds of reversal or alteration in writing,

and deposit the same with the registrar.

— No. 8. —

BATHURST. No. 8.

Richard Graves Macdonnell, Governor.

VICTORIA R.—26 June 1851.—ORDINANCE to alter and amend the Law relating to Courts of Request in the Gambia.

WHEREAS it is necessary to alter and amend an Ordinance enacted in the seventh year of the reign of Her present Majesty, by the acting Governor of these settlements, by and with the advice of the Legislative Council thereof, intituled, "An Ordinance to repeal an Act of the Governor and Council of Sierra Leone, passed on the 28th day of October 1825, and intituled, 'An Act for the easy and speedy Recovery of Small Debts, and for regulating the Proceedings therein, and to establish a Court of Requests in and for the British Settlements upon the River Gambia, and to ensure the easy and speedy Recovery of Small Debts within the said Settlements:' "

Preamble.

1. Be it therefore enacted, by the Governor and Commander-in-chief of these settlements, by and with the advice and consent of the Legislative Council thereof, that from and after proclamation of this Ordinance, it shall and may be lawful at any time, and as often as may seem requisite, for any two Commissioners of the Court of Requests at Bathurst to direct the clerk of the said court to summon, by a written notice to each Commissioner, a meeting or meetings of the Commissioners of the said court at the court-house of the said settlement, on any day not earlier than seven clear days from the date of the sending of such notice to the usual place of residence of each Commissioner of the said court.

Meeting of Commissioners may be summoned; mode of summoning.

Notice necessary seven clear days.

2. And be it further enacted, that it shall be lawful for the majority attending any meeting aforesaid of Commisssoners, which meeting shall consist of three Commissioners at the least, to frame and adopt, and from time to time to alter and amend, as to the majority of any such meeting may seem expedient, rules and regulations regarding the form of any process of the said court, the form of any security, which may be required by the practice of the said court, or by this Ordinance, or which any officer of the said court or other party is required to give by this Ordinance or the hereinbefore recited Ordinance, and also all rules and regulations regarding the hours and place, days and times of meeting of the said court, and the precedence and order in which the Commissioners of the said court shall attend the said court, and also all rules and regulations regarding the practice of the said court, and all the rules and regulations so framed, adopted, altered, or amended as aforesaid, shall have the same force and effect as if they had been embodied in the provisions of this Ordinance: Provided that such rules and regulations shall not be repugnant to the provisions of this or the hereinbefore recited Ordinance, where the same may be unaltered by this Ordinance, and shall be submitted by the clerk of the said courts to the Chief Justice, or person acting as such, for his approval, previous to any such rules and regulations being published: Provided nevertheless, that until any rules and regulations to the contrary shall have been framed and promulgated, a court of requests shall be held at Bathurst every Friday in each week, at the hour of noon, unless the said Friday shall happen to be a public holiday, any provision in the hereinbefore recited Ordinance to the contrary notwithstanding.

Majority of Commissioners present at meeting may frame or alter rules as to practice, hours, &c., of court.

Said rules to be of same force as this Ordinance, if not repugnant to its enactments.

Till altered by some other rule, a court of requests must be held every Friday.

3. And be it further enacted, by the authority aforesaid, that whenever any statement on oath shall have been made to any Commissioner or Commissioners aforesaid

One or more Commissioners may, on proper representation

on oath, issue warrant to apprehend party about to abscond from the settlement.

aforesaid that there is strong and probable reason to believe that any party against whom process shall have already issued from the said court for any debt or claim of not less than 2 *l.* (whether such process shall have been served or not, previous to making such representation on oath aforesaid) is about to leave the said settlements without previously settling the demand against him or her, on account of which process shall have already issued, then and in every such case it shall be lawful for any Commissioner of the said court, if he shall think fit, by any warrant under his hand, to direct a beadle of the said court to apprehend and bring before such Commissioner or any other Commissioner of the said court the party suspected of an intention to leave the said settlements as aforesaid, and every Commissioner before whom any party so suspected shall have been brought is hereby authorised, if he shall deem fit, to require from the party so suspected as aforesaid good and valid security for his appearance at the next sitting of the said court at which the process issued against such party shall have been made returnable, and the security so to be required shall in no case exceed double the amount of the debt for which the said party may have been proceeded against.

If party unable to find security for his appearance, Commissioner may commit him till the hearing of his cause.

4. And be it further enacted, that when any party aforesaid shall not be able to produce such security in double the amount of the said debt as may satisfy the Commissioner before whom he may have been brought on the warrant aforesaid, then and in every such case it may be lawful for any Commissioner before whom any such party shall have been brought as aforesaid, to commit such party to the gaol of Bathurst or the gaol of any other district in the said settlements wherein the said party may then be, till the time appointed for the hearing of the case in which process may have been issued against such party, and till the said court shall have made some order or decision in the case.

Whether debt shall be less or more than 2*l.*, court empowered to follow the same practice in regard to debts under 2*l.*

5. And be it further enacted, that in all cases which may come before any court of requests in the said settlements, and whether the debt or matter in dispute shall or shall not exceed the sum of 40 *s.* sterling, it shall be lawful for the Commissioners of any such court aforesaid, and they are hereby required to hear and determine the same, and to award judgment thereon in the same manner and according to the same practice as by the 13th section of the hereinbefore recited Ordinance they are empowered to do in cases where the debt or matter in dispute shall not exceed the sum of 40 *s.*, anything in the hereinbefore recited Ordinance to the contrary notwithstanding.

Order made at the hearing of a case must direct execution to issue against goods and chattels of defendant.

6. And be it further enacted, that in any action or case where the Commissioners of any Court of Requests in the said settlements, or any two of them, shall have made an order for the payment of money by any party or parties defendant, it shall be lawful for the said Commissioners, and they are hereby required, anything in the hereinbefore recited Ordinance to the contrary notwithstanding, to direct by the same order made at the hearing of the case, that in the event of default being made in such payment, or any part thereof, at the time or times and in the manner specified by the said order, execution shall issue at the request of the plaintiff made to the clerk of the said court against the goods and chattels of the party or parties against whom such order shall be made; and further

Where goods are insufficient, execution to be directed by the same order against the body of defendant.

to direct by the same order, in the event of the said party or parties defendant having no goods and chattels, or not having sufficient goods and chattels to satisfy the said order for the payment of money and costs, that in such case execution shall issue at the request of the plaintiff, made to the clerk of the said court, against the body or bodies of the said party or parties defendant, who shall remain in custody for such space of time as may be named in the said order, and as may be consistent with the provisions of the hereinbefore recited Ordinance.

If goods of defendant be sold and be insufficient, defendant may be taken into custody,

7. And be it further enacted, that whenever the beadle of the said court, under a precept against the goods and chattels of any party or parties, shall have taken the said goods and chattels, or a portion of them, and sold the same, and whenever the proceeds of such sale shall have been insufficient to satisfy the amount ordered to be paid by the said Commissioners, and whenever the said party or parties shall thereupon have been taken into custody, then and in every such case it shall be

but duty of clerk to report the same to the court, which may then make a fresh order.

the duty of the said clerk, and he is hereby required at the meeting of the Commissioners next after the arrest of any party or parties defendant as aforesaid, to report to the said Commissioners the fact of such defendant or defendants having been so taken into custody, together with an account of the sum which may have been received from the proceeds of the sale of the goods and chattels taken in execution,

execution, and of the amount still remaining due to satisfy the order or judgment, whereupon the said Commissioners shall make any order in respect to the party or parties so being in custody as to them may seem fit, either releasing at once the said party or parties or otherwise: Provided always, that no party or parties shall be detained altogether in custody under any circumstances by any order made or any warrant issued by virtue of this Ordinance for any longer period of time than by the hereinbefore recited Ordinance is limited for the imprisonment of debtors taken in execution under any process of a court of requests in the said settlements.

Duty of clerk to receive monies, and pay over same to suitors.

8. And be it further enacted, that it shall be the duty of the clerk of every court of requests in the said settlements to receive from the beadle or beadles all monies paid under the authority of the said court, and to pay the same over on demand to the parties to whom it may have been adjudged: Provided always, that no person appointed to be beadle of the said courts shall enter upon the duties of his office, or if he have already entered upon them, continue to perform the same until he shall have given security to the Governor or officer administering the government for the time being in the sum of 20 *l.* for the proper performance of his duty.

Beadle to give security in the sum of 20*l.* to Governor for the proper performance of the duties of his office.

Party injured may recover upon the security given by bailiff.

9. And be it further enacted, that any person who may be injured, delayed, or damaged by the negligent or wilful misconduct of any beadle of the said court of requests, shall and may apply for redress to the said court in his own name, and two or more Commissioners are hereby authorised to give such judgment thereon as to them shall seem just, not exceeding in amount the sum to which the jurisdiction of the said court is limited: Provided always, that nothing herein contained shall prevent the bringing any action in a superior court for a cause of action beyond the jurisdiction of any court of requests in the said settlements.

Proceeding when clerk may be interested, absent, or sick,

10. And be it further enacted, that in the event of the clerk of any court of requests being interested in any cause depending or to be commenced therein, or being incapable, from sickness or absence, of performing the duties of his office, then and in any such case any summons, precept, or other process of the court ordinarily issuable by such clerk, shall, upon the application of any suitor or suitors to that effect, be issued by any Commissioner of the court, and that in the event of the beadle or beadles of the court being interested in any cause depending therein, or being incapacitated by sickness or other cause from performing his or their duties, then and in such case it shall be lawful for any two Commissioners, under their hands and seals, to appoint some fit and proper person to perform the duties of the said beadle or beadles.

also when beadle may be interested, absent, or sick.

Two Commissioners competent to impose fine on beadles.

11. And be it further enacted, that whenever, under the authority of this or any former Ordinance, the Commissioners may be empowered to impose a fine, on account of negligence or other misbehaviour, upon the beadle or beadles of the court, it shall be sufficient that imposition of the said fine be adjudged by two Commissioners, anything in the before recited Ordinance notwithstanding, and such fine or fines shall be recovered in the same manner as any other monies ordered to be paid by any Commissioners under this Ordinance.

Beadle to return precept against goods and chattels within two days from its issue, with endorsement thereon.

12. And be it further enacted, that whenever a precept against the goods and chattels of any defendant in the said court shall have been issued to a beadle of the said court, the said beadle shall return the said precept within two days from the issue to him of the same, and shall endorse thereon a true inventory of all the goods and chattels seized by him under the authority of the said precept, and in the event of his not having seized any goods and chattels, then he shall return the said precept with an endorsement thereon to that effect.

Regulating sale of goods and chattels seized.

13. And be it further enacted, that the sale of all goods and chattels seized under the authority of the court of requests shall be held in the public market-place of Bathurst, and shall commence between the hours of ten and eleven in the forenoon, and that within two days after any sale of such goods and chattels has taken place, the beadle who seized the same shall make a true and faithful return to the clerk of the court of requests of the account of such sale, and a copy of the said return shall be entered by the clerk in a book, to be kept by him for that purpose, which book the said clerk shall keep in the place used by him as his office, and any party, on application to the said clerk within the hours of eleven in the forenoon and three in the afternoon, daily, for that purpose, shall be allowed

Account of sale to be returned to clerk, and entered by him in a book.

Public to have access to same on payment of 6*d.*,

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and written extracts from same on payment of 6*d*. per folio.

allowed by the said clerk to refer to the book aforesaid on payment of a fee of 6 *d*., and shall further, on making request to that effect to the said clerk, be furnished by him with any written extract which he or she may require from the said book, on payment of a fee of 6 *d*. for every folio of 72 words.

Fraudulent concealment of goods. Powers given to Commissioners to increase imprisonment of debtors,

also to stop gaol allowance of such debtors.

14. And be it further enacted, that in case it shall be proved before the sitting Commissioners that any debtor, against whom judgment has been obtained in the said court, has goods or money fraudulently concealed, they are hereby empowered to enlarge the term of imprisonment of such debtor, for debts under 10 *s*. to 20 days, under 40 *s*. to 30 days, and exceeding 5 *l*. to three months; and the said Commissioners shall also have power, by any order to be made by them in that behalf, to stop any allowance of money or food which any debtor guilty of such fraud may at the time be receiving, or be entitled to receive, from the party who had obtained judgment against such debtor.

Party appointed a Commissioner of the Court of Requests must serve as such,

or pay a penalty of 30*l*.

15. And be it further enacted, that whenever any party or parties shall have been duly appointed by the Governor or officer administering the government of the said settlements to be a Commissioner or Commissioners of any court of requests in the said settlements, every party so appointed as aforesaid shall be bound to accept the office aforesaid of Commissioner, and to perform its duties when called on to do so; and in case any party so appointed a Commissioner as aforesaid shall refuse to accept the office, or shall, without sufficient reason, refuse to perform the duties of the said office, then every party so refusing as aforesaid shall forfeit a sum of 30 *l*. sterling, to be recovered for the use of Her Majesty, Her heirs and successors, in any action or suit to be brought for that purpose by the Queen's Advocate, or other party appointed by the Governor or officer administering the government to conduct such action or suit, in any court of record in the said settlements.

Provisions of this Ordinance may be extended to any British settlements in the Gambia.

16. And be it further enacted, that it shall and may be lawful for the Governor or officer administering the government to establish one or more courts of request, as he may deem expedient, in any district or districts within the said settlements, and to declare by any proclamation the several provisions of this and the several provisions of the hereinbefore recited Ordinance, which may not be repealed by this Ordinance, to be in force in any district aforesaid within the said settlements.

Disorderly persons may be imprisoned or fined by the Court.

17. And be it further enacted, that anything in the before recited Ordinance to the contrary notwithstanding, if any person shall use contemptuous or insulting language to the Commissioners aforesaid while discharging the duties imposed upon them by this or any former Ordinance, or shall in any manner disturb the proceedings of any Court of Requests aforesaid, it shall and may be lawful for the sitting Commissioners of such court to impose a fine not exceeding 5 *l*. on every such offender or offenders, at the discretion of the Commissioners, and in default of payment of the said fine, or any part thereof, and till payment of the same to order, such offender or offenders to be imprisoned for any period not exceeding five days.

GOLD COAST.

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— No. 1. —

No. 1. CHARTER under the Great Seal of the United Kingdom to provide for the Government of Her Majesty's Forts and Settlements on the Gold Coast.

VICTORIA R.—LETTERS PATENT, dated 24 January 1850.

OUR will and pleasure is, that you prepare a Bill for our Royal Signature to pass our Great Seal of our United Kingdom of Great Britain and Ireland, in the words, or to the effect following, (that is to say);

VICTORIA, by the grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to all to whom these presents shall come, greeting:

greeting: Whereas an Act, made and passed in the Session of Parliament holden in the first and second year of the reign of his late Majesty King George the Fourth, intituled, "An Act for abolishing the African Company, and transferring to and vesting in his Majesty all the forts, possessions and property now belonging to or held by them," it was, amongst other things, enacted, that it should and might be lawful for his said Majesty to order and direct, that all or any of the forts and possessions therein mentioned, and also any territories, islands or possessions on the West Coast of Africa, between the 20th degree of north latitude and the 20th degree of south latitude, which, at the time of the passing of such Act, did or at any time thereafter should or might belong to his said Majesty, should be annexed to or made dependencies on the colony of Sierra Leone, and that from the date of their being so annexed or made dependencies on the said colony, they should be subject to all such laws, statues and ordinances as should be in force in the said colony, or as should at any time thereafter be made, enacted, or ordained by the governor and council of the said colony, in the same manner as if the said forts, possessions, territories or islands had originally formed part of the said colony of Sierra Leone:

And whereas, in pursuance of the Act of Parliament aforesaid, his said Majesty King George the Fourth did by certain letters patent under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster, the 17th day of October, in the second year of his reign, order, direct and appoint that all and every of the forts and possessions theretofore acquired, purchased, enjoyed, claimed or held by the corporation of the company of merchants trading to Africa, and also all territories, islands, and possessions which then did or at any time thereafter should or might belong to his said Majesty King George the Fourth, his heirs and successors, on the West Coast of Africa, between the 20th degree of north latitude and the 20th degree of south latitude, should be annexed to and made dependencies on, and the same were thereby annexed to and made dependencies on, the said colony of Sierra Leone.

And by the said letters patent his said late Majesty did reserve to himself, his heirs and successors, full power and authority to revoke, vary, alter, annul and make void the said letters patent, and every or any matter or thing therein contained, as to his said Majesty, his heirs and successors, in that behalf should seem meet.

And whereas by certain other letters patent under the Great Seal of our United Kingdom of Great Britain and Ireland, bearing date at Westminster the 16th day April 1846, in the ninth year of our reign, we did constitute and appoint our trusty and well-beloved Norman William Macdonald, Esquire, to be our Captain-general and Governor-in-Chief in and over the peninsula of the said colony of Sierra Leone, and of all territories, islands and possessions annexed to or depending on the said colony, and also the forts and garrisons erected and established, or to be erected and established, within the same, for and during our royal will and pleasure.

And whereas by an Act made and passed in the sixth year of our reign, intituled, "An Act to enable Her Majesty to provide for the Government of Her Settlements upon the Coast of Africa and in the Falkland Islands," after reciting amongst other things that divers of our subjects have resorted to and taken up their abode, and may hereafter resort to and take up their abode, at divers places on or adjacent to the coast of the continent of Africa, and that it is necessary that we should be enabled to make further and better provision for the government of the said settlements, it is enacted, that it shall be lawful for us, by any order or orders to be by us made, with the advice of our Privy Council, to establish all such laws, institutions and ordinances, and to constitute such courts and officers, and to make such provisions and regulations for the proceedings in such courts, and for the administration of justice, as may be necessary for the peace, order, and good government of our subjects and others within the said present or future settlements, any law, statute or usage to the contrary notwithstanding; and it is further enacted, that it shall be lawful for us, by any commission or commissions under the Great Seal of the United Kingdom, or by any instructions under our signet and sign manual accompanying and referred to in any such commission or commissions, to delegate to any three or more persons within any of the settlements aforesaid the powers and authorities so vested by us in our Privy Council as aforesaid, either in whole or in part, and upon, under and subject to all such conditions,

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ditions, provisions and limitations, as by any such commission or commissions or instructions as aforesaid we shall see fit to prescribe: Provided always, that notwithstanding any such delegation of authority as aforesaid, it shall still be competent to us, in our Privy Council, in manner aforesaid, to exercise all the powers and authorities so vested as aforesaid in us in our Privy Council: Now therefore, in pursuance and exercise of the powers so reserved to us as aforesaid, by the said recited letters patent of the second year of the reign of his said late Majesty King George the Fourth, and so vested in us as aforesaid by the said recited Act of Parliament, we do by these presents revoke the said respective letters patent of his said late Majesty King George the Fourth, and of the 16th day of April 1846 respectively, so far as the same apply to all and every the territories, islands and possessions situate in or adjacent to the Gold Coast on the West Coast of Africa, which now belong to us, and are commonly designated as our forts and settlements on the Gold Coast.

And we do hereby order, direct and appoint, that all and every our said forts, territories, islands and possessions on the Gold Coast do forthwith cease to be annexed to and be dependencies on the said colony of Sierra Leone. And further know you, that in pursuance and exercise of the powers so vested in us as aforesaid, by the said recited Act of Parliament passed in the sixth year of our reign, we, of our especial grace, certain knowledge, and mere motion, by this commission, under the Great Seal of the United Kingdom aforesaid, delegate to the persons hereinafter named within the said forts and settlements on the Gold Coast and their dependencies, the powers and authorities so vested in us in our Privy Council as aforesaid, but upon, under and subject to all such conditions, provisoes and limitations as by this our commission, or by the instructions under our signet and sign manual accompanying the same, are prescribed: And we do declare our pleasure to be, and do hereby declare and grant, that the Governor for the time being of the said forts and settlements on the Gold Coast, and such other persons, not being less than two, as are hereinafter designated, shall constitute and be a legislative council for the said forts, territories, islands and possessions: And we do hereby direct and appoint that the persons, other than the said Governor, constituting the said legislative council, shall be such public officers within the said forts and settlements as shall be designated, or such other persons within the same as shall from time to time be named for that purpose by us, by any instruction or instructions, or warrant or warrants, to be by us for that purpose issued under our signet and sign manual, and with the advice of our Privy Council, all of which councillors shall hold their places in the said Council at our pleasure.

2. And we do hereby authorise, empower and enjoin such Legislative Council to make and establish all such laws, institutions, and ordinances as may from time to time be necessary for the peace, order, and good government of our subjects and others within our said present or future forts and settlements in the Gold Coast, comprised between the 10th degree of west longitude and the 10th degree of east longitude; and our pleasure is, that in the making and establishing all such laws, institutions, and ordinances, the said Legislative Council shall conform to and observe all such rules and regulations as shall be given and prescribed in and by such instructions as we, with the advice of our Privy Council, shall from time to time make for their guidance therein: Provided nevertheless, and we do hereby reserve to ourselves, our heirs and successors, our and their right and authority to disallow any such ordinances in the whole or in part, and to make and establish from time to time, with the advice and consent of Parliament, or with the advice of our or their Privy Council, all such laws as may to us or them appear necessary for the order, peace, and good government of our said present and future forts, settlements, and their dependencies, as fully as if these presents had not been made.

3. And whereas it is expedient that an executive council should be appointed to advise and assist the Governor of our said forts and settlements on the Gold Coast for the time being in the administration of the government thereof, we do by these our letters patent authorise the Governor of our said forts and settlements to summon as an executive council such persons as may from time to time be named or designated by us in any instructions under our signet and sign manual addressed to him in that behalf.

4. And

4. And we do hereby authorise and empower the Governor of our said forts and settlements on the Gold Coast for the time being to keep and use the public seal appointed for the sealing of all things whatsoever that shall pass the seal of our said forts and settlements.

5. And we do hereby give and grant to the Governor of our said forts and settlements for the time being full power and authority in our name and on our behalf, but subject nevertheless to such provisions as may be in that respect contained in any instructions which may from time to time be addressed to him by us for that purpose, to make and execute in our name and on our behalf, under the public seal of our said forts and settlements, grants of land to us belonging within the same to private persons for their own use and benefit, or to any persons, bodies politic or corporate, in trust for the public uses of our subjects there resident or of any of them.

6. And we do hereby authorise and empower the Governor of our said forts and settlements on the Gold Coast for the time being to constitute and appoint judges, and, in cases requisite, commissioners of oyer and terminer, justices of the peace, and other necessary officers and ministers in our said settlements for the due and impartial administration of justice, and for putting the laws into execution, and to administer or cause to be administered unto them such oath or oaths as are usually given for the due execution and performance of officers and places, and for the clearing of truth in judicial matters.

7. And we do hereby give and grant unto the Governor of our said forts and settlements on the Gold Coast and their dependencies for the time being full power and authority, as he shall see occasion, in our name and on our behalf, to remit any fines, penalties, or forfeitures which may accrue or become payable to us, provided the same do not exceed the sum of 50*l.* sterling in any one case; and to respite and suspend the payment of any such fine, penalty, or forfeiture exceeding the said sum of 50*l.* until our pleasure thereon shall be made known and signified to such Governor.

8. And we do hereby give and grant unto the Governor of our said forts and settlements on the Gold Coast for the time being, full power and authority, as he shall see occasion, in our name and on our behalf, to grant to any offender convicted of any crime in any court, or before any judge, justice, or magistrate within our said forts and settlements, a free and unconditional pardon, or a pardon subject to such conditions as by any law or ordinance hereafter to be in force in our said settlements may be thereunto annexed, or any respite of the execution of the sentence of any such offender for such period as to such Governor may seem fit.

9. And we do hereby give and grant unto the Governor of our said forts and settlements on the Gold Coast full power and authority, upon sufficient cause to him appearing, to suspend from the exercise of his office within our said forts and settlements, any person exercising any office or place under or by virtue of any commission or warrant granted or which may be granted by us, or in our name, or under our authority, which suspension shall continue and have effect only until our pleasure therein shall be made known and signified to such Governor. And we do hereby strictly require and enjoin the Governor of our said forts and settlements for the time being, in proceeding to any such suspension, to observe the directions in that behalf given to him by our instructions, under our signet and sign manual, accompanying his commission of appointment as Governor of the said forts and settlements.

10. And in the event of the death, incapacity or absence out of our said forts and settlements on the Gold Coast, and of their dependencies, of such person as may be commissioned and appointed by us to be the Governor thereof, we do hereby provide and declare our pleasure to be, that all and every the powers and authorities herein granted to the Governor of our said forts and settlements on the Gold Coast, shall be and the same are hereby vested in such person as may be appointed by us by warrant under our signet and sign manual to be the Lieutenant-governor of our said forts and settlements; or in the event of there being no person upon the place commissioned and appointed by us to be Lieutenant-governor thereof, then our pleasure is, and we do hereby provide and declare, that in any such contingency all the powers and authorities herein granted to the Governor or Lieutenant-Governor of our said forts and settlements shall be and the same

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are granted to the judicial assessor for the time being for our said forts and settlements, or in the event of his death, incapacity or absence to the senior Justice of the Peace for the time being, for our said forts and settlements, and their dependencies.

11. And we do hereby require and command all our officers and ministers, civil and military, and all other the inhabitants of our said forts and settlements on the Gold Coast, to be obedient, aiding, and assisting to such person as may be commissioned and appointed by us to be the Governor of our said forts and settlements on the Gold Coast, or in the event of his death or absence, to such person as may, under the provisions of these our letters patent, assume and exercise the functions of such Governor.

12. And we do hereby reserve to us, our heirs and successors, full power and authority from time to time to revoke, alter or amend these our letters patent as to us or them shall seem meet.

In witness, &c., &c., and for so doing this shall be your warrant.

Given at our Court at Windsor, this 19th day of January 1850, in the 13th year of our reign.

By Her Majesty's command.

(signed) *Grey.*

To our Attorney and Solicitor General.

—No. 2.—

No. 2. VICTORIA R.—INSTRUCTIONS to Our Trusty and Well-beloved *Stephen John Hill*, Esquire, Brevet-Major in Our Army, Our Governor and Commander-in-Chief in and over Our Forts and Settlements on the Gold Coast, or, in his absence, to Our Lieutenant-Governor, or the Officer administering the Government of Our said Forts and Settlements for the time being. Given at Our Court at Buckingham Palace, this 1st day of April 1851, in the Fourteenth year of Our Reign.

(SEAL.)

1. WHEREAS in pursuance and exercise of the powers in us vested in and by a certain Act of Parliament, made and passed in the sixth year of our reign, intituled, "An Act to enable Her Majesty to provide for the Government of Her Settlements on the Coast of Africa, and in the Falkland Islands," and for other purposes, We did, by our Charter under the great seal of our United Kingdom of Great Britain and Ireland, bearing date at Westminster, the 24th day of January, 1850, in the 13th year of our reign, make provision for the government of our present and future forts and settlements on the Gold Coast, on the coast of Africa: And whereas by a Commission under the great seal of our United Kingdom of Great Britain and Ireland, bearing even date herewith, at Westminster, We have constituted and appointed you, the said Stephen John Hill, to be our Governor and Commander-in-chief in and over our said present and future forts and settlements on the Gold Coast comprised within the 10th degree of west longitude, and the 10th degree of east longitude, and of all garrisons established, or which shall be established, within the same, and have further required and commanded you to do and execute all things in due manner that shall belong to your said command and the trust we have reposed in you, according to the several powers and directions granted to or appointed for the governor of our said forts and settlements and their dependencies for the time being, and by the said recited Act of Parliament, and in and by the said recited Charter, and the instructions under our sign manual and signet therein referred to, and according to such further powers, instructions and authorities as shall from time to time be granted or appointed you, under our signet and sign manual, or by our order in our Privy Council, or by us through one of our principal Secretaries of State, and according to such laws and ordinances as shall thereafter be made and enacted by virtue of our said recited Charter. Now, therefore, by these our Instructions under our Royal sign manual and signet, being the Instructions so referred, to as aforesaid, in the said recited Act of Parliament and Charter, We do declare our pleasure to be, that you shall, with all due solemnity, cause our said recited Charter, together with our said Commission, to be read and published

published in the presence of our chief officers and other the principal inhabitants of the said forts and settlements and their dependencies, and you shall then and there take the oaths appointed to be taken by an Act passed in the first year of the reign of King George the First, intituled, "An Act for the further Security of His Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, and for extinguishing the hopes of the pretended Prince of Wales and his open and secret Abettors," as altered and explained by an Act passed in the sixth year of the reign of his late Majesty King George the Third, intituled, "An Act for altering the Oath of Abjuration and the Assurance," and for amending so much of an Act of the seventh year of her late Majesty Queen Anne, intituled, "An Act for the Improvement of the Union of the two Kingdoms," as after the time therein limited requires the delivery of certain lists and copies therein mentioned, to persons indicted of high treason or misprision of treason, or in lieu thereof, the oath required to be taken by an Act passed in the tenth year of the reign of his late Majesty King George the Fourth, intituled, "An Act for the Relief of His Majesty's Roman Catholic Subjects," according as the said former Acts or the said last-mentioned Act shall be applicable to your case; and likewise that you take the usual oath for the due execution of the office of our Governor and Commander-in-chief in and over our said settlements and their dependencies, and for the due and impartial administration of justice; which said oaths the chief or senior magistrate for the time being of our said forts and settlements shall and he is hereby required to tender and administer unto you.

2. And we do authorise and require you from time to time, and at any time hereafter, by yourself, or by any other to be authorised by you in that behalf, to administer and give to all and every such person or persons as you shall think fit, who shall hold any office or place of trust or profit, or who shall at any time or times pass into our said settlements and their dependencies, or be resident therein, the oath commonly called the oath of allegiance, save only in cases wherein any other oath or oaths is or are prescribed by the statutes in that behalf made, or by any of these statutes, in which cases it is our pleasure, and we do hereby direct that you do administer to such persons such other oath or oaths as aforesaid.

3. And whereas by the said recited Charter, made in pursuance and exercise of the powers in us vested in and by the said recited Act of Parliament, we have authorised the Governor or Lieutenant-governor for the time being of our said forts and settlements on the Gold Coast, and such other persons, not being less than two, as are in the said Charter designated, to constitute and be a Legislative Council for the said forts and settlements: And we have by the said Charter further declared, that in addition to the said Governor or Lieutenant-governor, the said Council shall be composed of such public officers within the said forts and settlements, or of such other persons as shall from time to time be named or designated for that purpose by us, by any instruction or instructions, warrant or warrants, to be by us for that purpose issued under our signet and sign manual, and with the advice of our Privy Council, and that all such councillors shall hold their places in the said Council at our pleasure, with full power and authority to make and establish all such laws, institutions, and ordinances as may be required for the peace, order, and good government of our said present or future forts and settlements, and that in the making of all such laws, institutions, and ordinances, the said Legislative Council shall conform to and observe all such rules and regulations as should be given and prescribed in and by such instructions as we, with the advice of our Privy Council, shall from time to time make for their guidance therein:

Now, therefore, by these our instructions under our signet and sign manual, and with the advice of our Privy Council (being the instructions so referred to as last aforesaid), we do nominate and appoint the public officers and persons hereinafter named to be members of the said Legislative Council, who shall hold their places in the said Council at our pleasure; that is to say, the Judicial Assessor for our said forts and settlements for the time being, the Collector of Customs for our said forts and settlements for the time being, and our trusty and well-beloved James Bannerman and Brodie G. Cruickshank, Esquires.

And we do hereby further order and appoint that upon the death, incapacity, suspension, resignation, or absence from our said forts and settlements of the said James Bannerman and Brodie G. Cruickshank, or of such other persons as we

may hereafter appoint to be members of the said Legislative Council, it shall be competent for you, or the Governor for the time being of our said forts and settlements, by a commission to be for that purpose issued under the public seal of our said forts and settlements, to nominate and appoint any fit and proper person or persons to such vacancy or vacancies in the said Council, who shall hold their appointments only until our pleasure shall be known.

4. And in further exercise of the powers and authorities in us vested in and by the said recited Act of Parliament or otherwise to us appertaining, we have, with the advice of our Privy Council, thought fit to make, and do hereby make and ordain, the following regulations for the guidance of the said Legislative Council, in the making such Laws and Ordinances as aforesaid; (that is to say) we do declare our pleasure to be, that the said Legislative Council shall not be competent to act in any case unless two members at the least of such Council, in addition to the Governor for the time being, or to the member who may preside therein in his absence, shall be present at and throughout the meeting of such Council.

5. And we do authorise and require you, or the Governor of our said forts and settlements on the Gold Coast and their dependencies for the time being, to preside in the said Council.

6. And we do further declare our pleasure to be, that all questions proposed for debate in the said Council shall be decided by the majority of votes; it being our pleasure that the Governor for the time being, or the member presiding in his absence, shall have an original vote in common with the other members of the said Council, as also a casting vote, if upon any question the votes shall be equally divided.

7. And for insuring punctuality of attendance of the members of the said Council, and for the prevention of meetings of the said Council being holden without convenient notice to the several members thereof, it is our pleasure, and we do hereby direct, that you, or the Governor of our forts and settlements on the Gold Coast and of their dependencies for the time being, do frame and propose to the said Council for their adoption such standing rules and orders as may be necessary for those purposes, with such standing rules and orders as may be best adapted for maintaining order and method in the despatch of business, and in the conduct of all debates in the said Council, which rules and orders (not being repugnant to the said recited Act of Parliament and Charter, or to these Instructions, or to any other Instructions which you may receive from us) shall at all times be followed and observed, and shall be binding upon the said Council, unless the same, or any of them, shall be disallowed by us.

8. It is our pleasure, and we do hereby direct, that no Law or Ordinance shall be made or enacted by the said Council, unless the same shall have been previously proposed by yourself, and that no question shall be debated at the said Council, unless the same shall first have been proposed for that purpose by you: Provided nevertheless, and it is our pleasure, that if any member of the said Council shall deem any law fit to be enacted by the said Council, or any question proper to be there debated, and shall of such his opinion transmit a written statement to you, it shall be lawful for any such member of the said Council to enter upon the minutes thereof a copy of any such statement, together with the reasons upon which such his opinion may be founded.

9. And we do further direct, that minutes be regularly kept of the proceedings of the said Council by the Clerk of the said Council, and that the said Council shall not ever proceed to the despatch of business until the minutes of the last preceding meeting have first been read over and confirmed or corrected, as may be necessary

10. And we do further require and enjoin you, twice in each year, to transmit to us, through one of our principal Secretaries of State, a full and exact copy of the minutes of the said Council for the last preceding half-year.

11. And it is our further pleasure, that you do not propose or assent to any Ordinance whatever respecting the constitution, proceedings, numbers, or modes of appointing any of the members of the said Legislative Council, or otherwise in relation to any of the matters mentioned or referred to in the said Charter and in these our Instructions, which shall be in anywise repugnant to or inconsistent with such Charter or Instructions, or repugnant to the said recited Act, or to any other Act of Parliament, but that any such Ordinance, or pretended Ordinance, shall be absolutely null and void to all intents and purposes.

12. And

12. And you are expressly enjoined not to propose or assent to any Ordinance whatever, whereby any person may be impeded or hindered from celebrating or attending the worship of Almighty God in a peaceable and orderly manner, although such worship may not be conducted according to the rites and ceremonies of the Church of England.

13. And we do further enjoin you not to propose or assent to any Ordinance whatsoever whereby our revenue might be lessened or impaired, or whereby our prerogative might be diminished or in any respect infringed, or whereby any increase or diminution might be made in the number, salary, or allowances of any public officers which have or shall have received our sanction without our special leave and command therein first received.

14. And we do further direct, that you do not propose or assent to any Ordinance whatever, whereby bills of credit or other negotiable securities, of whatever nature, may be issued in lieu of money on the credit of the said forts and settlements on the Gold Coast and their dependencies, or whereby any government paper currency may be established therein, or whereby any such bills or any other paper currency, or any coin, save only the legal coin of the realm, may be made or declared to be a legal tender without special permission from us in that behalf first obtained.

15. And we do further enjoin and command you not to propose or assent to any Ordinance whatever by which persons not of European birth or descent might be subjected or made liable to any disabilities or restrictions to which persons of European birth or descent would not also be subjected and made liable.

16. And it is our further pleasure, that you do not propose or assent to any Ordinance whatever for raising money by the institution of any public or private lotteries.

17. And it is our further will and pleasure, that you do not propose or assent to any Ordinance whatever for the divorce of persons joined together in holy matrimony.

18. And we do further direct, that you do not propose or assent to any Ordinance whatever by which any tax or duty might be imposed upon the trade or shipping of the United Kingdom, or whereby any tax might be imposed upon transient traders, or upon persons residing and carrying on business for a short time within our said forts and settlements on the Gold Coast and their dependencies, from which other traders and persons carrying on the like business would be exempt.

19. And we do further direct, that you do not propose or assent to any Ordinance whatever, whereby any grant of any money or land, or other donation or gratuity, may be made by the said Legislative Council to you.

20. And we do further direct, that you do not propose or assent to any private Ordinance whatever whereby the property of any individual may be affected, in which there is not a saving of the rights of us, our heirs and successors, and of all bodies politic and corporate, and of all other persons excepting those at whose instance and for whose especial benefit such Ordinance may be passed, and those claiming by, from, through, and under them.

21. And it is our will and pleasure, that you do not propose or assent to any Ordinance whatever to which our assent has once been refused, without express leave for that purpose first obtained from us.

22. And it is our further will and pleasure, that all Laws or Ordinances to be enacted by the said Legislative Council shall henceforth be styled, "Ordinances enacted by the Governor of our Forts and Settlements on the Gold Coast, with the Advice and Consent of the Legislative Council thereof"; and that no other style or form shall ever be observed in any such enactment, and that all such Laws and Ordinances be drawn up in a simple and compendious form, avoiding, as far as may be, all prolixity and tautology.

23. And we do further direct, that when any Ordinance shall have been passed by you, with the advice of the said Legislative Council, the same shall forthwith be laid before us for our final assent, disallowance or other direction thereupon, to be signified through you, for which purpose we do hereby require you, with all convenient speed,

to transmit to us, through one of our principal Secretaries of State, a transcript in duplicate of every such Ordinance as aforesaid, duly authenticated under the public seal of the said forts and settlements and their dependencies, and by your own signature; and we do direct that every such transcript be so transmitted by the earliest occasion next after the enactment of the said Ordinance, and that no such Ordinance be made to take effect until our pleasure thereupon be first made known and signified to you, and by you to the inhabitants of the said forts and settlements, excepting only in the case of Ordinances for raising the annual supplies for the service of the said forts and settlements and their dependencies, and in any other cases in which the delay incident to a previous communication with us would be productive of serious injury or inconvenience; in which several cases we do hereby authorise you, with the advice of the said Council, to determine the time at which any such Ordinance shall take effect and come into operation within the said forts and settlements and their dependencies; which proceedings, with the reasons thereof, you shall, on the earliest occasion, report to us through one of our principal Secretaries of State: And we do hereby reserve to us, our heirs and successors, full power and authority to confirm and finally enact or disallow any Ordinance which may be passed by you with the advice and consent of the said Council, either in whole or in part, such confirmation or disallowance being from time to time signified to you through one of our principal Secretaries of State.

24. And we do further declare our pleasure to be, that in the month of January, or at the earliest practicable period at the commencement of each year, you do cause a complete collection to be published for general information of all Ordinances enacted during the preceding year.

25. And we do further direct, that all Ordinances made by you, with the advice of the said Legislative Council, be distinguished by titles, and that the Ordinances of each year be also distinguished by numerical marks, commencing in each successive year with the number one, and proceeding in arithmetical progression to the number corresponding with the total number of Ordinances enacted during the year, and that every such Ordinance be divided into successive clauses or paragraphs, distinguished in like manner by numerical marks, and that to every such clause be annexed in the margin a short summary of its contents.

26. And we do further declare our pleasure to be, that in the passing of all laws each different matter be provided for by a different law, without intermixing into one and the same Act such things as have no proper relation to each other; and that no clause or clauses be inserted in or be annexed to any Act which shall be foreign to what the title of such Act imports; and that no perpetual clause be part of any temporary law; and that no Act whatever be suspended, altered, continued, revived, or repealed by general words, but that the title and date of such Act so suspended, altered, continued, revived, or repealed, be particularly mentioned and expressed in the enacting part.

27. And it is our express will and pleasure, that no law whatsoever be made to continue for less than two years, except only in cases where it may be necessary, upon some unforeseen emergency, to make provision by law for a service in its nature temporary and contingent.

28. You are also to take care that in all Laws or Ordinances to be passed by our said Legislative Council, in any case, for levying money or imposing fines, forfeitures, and penalties, express mention be made that the same are granted or reserved to us, our heirs and successors, for the public uses of the said forts and settlements and their dependencies, and the support of the government thereof, as by the said Law or Ordinance shall be directed.

29. And whereas, by the said recited Charter, we have authorised the Governor of our said forts and settlements for the time being to summon as our Executive Council such persons as should from time to time be named or designated by us in any instructions under our signet and sign manual, to be addressed to him in that behalf: Now we do, by these our Instructions, nominate and appoint the undermentioned persons to be the members of the said Executive Council; that is to say, the judicial assessor for our said forts and settlements for the time being, and the collector of customs for our said forts and settlements for the time being. And we do hereby further ordain and appoint, that upon any special occasion on which you, or the Governor for the time being of our said forts and settlements, shall

shall judge it advisable to obtain the advice of persons residing there touching our affairs in that quarter, it shall be competent for you or for such Governor, by a commission to be for that purpose issued under the public seal of our said forts and settlements, to summon for any such special occasion only, any such persons as aforesaid as extraordinary members of our said Executive Council.

30. And we do declare our pleasure to be, that you do forthwith communicate to our said Executive Council these our Instructions, and likewise all such others, from time to time, wherein their consent and concurrence are requisite, and as you shall find convenient for our service to be imparted to them.

31. And we do hereby declare that it is our pleasure that our said Council shall not proceed to the despatch of business, unless duly summoned by your authority, and unless two members at least, exclusive of yourself, be present and assisting throughout the whole of the meetings at which any such business shall be despatched.

32. And it is our pleasure that you do attend and preside at the meetings of our said Executive Council.

33. And we do further direct and command, that a full and exact journal or minute be kept of all the deliberations, acts, proceedings, votes, and resolutions of our said Executive Council; and that at each meeting of the said Council the minutes of the last preceding meeting shall be read over, and confirmed or amended, as the case may require, before proceeding to the despatch of any other business.

34. And it is our further will and pleasure, and we do hereby command, that in the execution of the several powers and authorities granted and committed to you by our said Charter and Commission, and these our Instructions, or by any additional Instructions hereafter to be given to you by us, you do in all things consult and advise with our said Executive Council, and that you do not exercise the powers and authorities aforesaid, or any of them, except by and with the concurrence and advice of our said Executive Council, save and except only in such cases as are hereinafter saved and excepted; (that is to say), Provided always, that nothing herein contained shall extend to prevent your exercising, without the advice and consent of our said Executive Council, the several powers and authorities, or any of them, which may be of so urgent and pressing a nature as not to admit of the delay unavoidably incident to the deliberation of our said Council. It is nevertheless our pleasure that the measures adopted by you without the advice of our said Executive Council upon any such emergency, shall with all convenient speed be by you brought before our said Executive Council for their revision and sanction: Provided also, that nothing herein contained shall prevent your exercising the several powers and authorities aforesaid, or any of them, without the advice and concurrence of our said Executive Council, in any case, or upon any occasion which may not appear to you to be sufficiently important to require their assistance and advice, or which may be of such a nature that in your judgment our service would sustain material prejudice by consulting our said Executive Council thereupon.

35. And it is our further will and pleasure, that no question shall be brought before our said Executive Council for their advice or decision, excepting only such questions as may be proposed by you for that purpose: Provided nevertheless, and it is our will and pleasure, that if any member shall deem it expedient that any question should undergo the deliberation of the said Executive Council, and shall, by application in writing to you, request and propose that such question should be so discussed, it shall be competent to any such member to enter upon the minutes of the said Executive Council such his written application to you, together with the answer which may be returned by you to the same; and it is our will, and we do further direct, that if in any case you see sufficient cause to dissent from the opinion of the major part, or of the whole of our said Executive Council, upon any question brought by you under their consideration, it shall be competent to you, upon any such occasion, to execute the powers and authorities vested in the Governor of our said forts and settlements on the Gold Coast and of their dependencies, for the time being, by the said Charter and Commission, and these our Instructions, in opposition to such their opinions; it being nevertheless our pleasure, that in every case it shall be competent to any member of our said Council to record at length, on the minutes of the said Council, the grounds and

reasons of any advice or opinion he may give upon any question brought under the consideration of such Council; and it being also our pleasure, that in the event of your acting upon any occasion in opposition to the advice of the whole or the major part of the said Executive Council, you do, by the first opportunity, transmit to us, through one of our principal Secretaries of State, a full explanation of the grounds of every such measure, together with complete copies of the minutes, if any, of the said Executive Council relating thereto. And we do further direct, that twice in each year a full transcript of all the minutes of the Executive Council of the preceding half-year be transmitted to us, through one of our principal Secretaries of State.

36. And whereas we have by our said recited charter authorized the Governor of our said forts and settlements for the time being, upon sufficient cause to him appearing, to suspend from the exercise of his office within our said settlements and their dependencies any person exercising the same under and by virtue of any commission or warrant granted or to be granted by us, or in our name, or under our authority: Now we do charge and require you, that before proceeding to any such suspension, you do signify by a statement in writing to the person so to be suspended, the grounds of such your intended proceeding against him, and that you do call upon such person to communicate to you in writing a statement of the grounds upon which he may be desirous to exculpate himself, which statement and exculpation you will lay before the Executive Council; and, having consulted them thereupon, you will cause to be recorded in the minutes of the said Council, whether they or the majority of them do or do not assent to the said suspension; and if you thereupon proceed to such suspension, you are to transmit both of the said statements, together with the Minutes of Council, to us, through one of our principal Secretaries of State, by the earliest conveyance. But, if in any case the interests of our service shall appear to you to demand that a person shall cease to exercise the powers and functions of his office instantly, or before there shall be time to take the proceedings hereinbefore directed, you shall interdict such person from the exercise of his powers and functions, preserving to him, however, until such proceedings shall have been taken, the emoluments and advantages of his office.

37. And it is our pleasure that all commissions to be granted by you to any person or persons for exercising any office or employment in or concerning our said forts and settlements on the Gold Coast and their dependencies, be granted during pleasure only; and that whenever you shall appoint to any vacant office or employment any person not by us specially directed to be appointed thereto, you shall at the same time expressly apprise such person that such appointment is to be considered only as temporary and provisional, until our allowance or disallowance thereof be signified.

38. And whereas, by the said charter hereinbefore recited, we have given and granted unto the Governor of our said forts and settlements, for the time being, full power and authority, as he shall see occasion, in our name and in our behalf to grant to any offender convicted of any crime in any court, or before any judge, justice, or magistrate, within our said settlements and their dependencies, a free and unconditional pardon, or a pardon subject to such conditions as by any law or Ordinance hereafter to be in force in our said forts and settlements and their dependencies may be thereunto annexed, or any respite of the sentence of any such offender for such period as to such Governor may seem fit: Now, we do hereby require and enjoin you to call upon the judge presiding at the trial of any such offenders to make to you a written report of the cases of all persons who may from time to time be condemned to suffer death by any sentence of any court within the said settlements and their dependencies, and such reports of the said judge shall by you be taken into consideration at the first meeting thereafter which may be conveniently held, of our said Executive Council, where the said judge shall be especially summoned to attend, and you shall not pardon or reprieve any such offenders as aforesaid, unless it shall appear to you expedient so to do upon receiving the advice of our Executive Council therein; but in all such cases you are to decide either to extend or to withhold or pardon or reprieve according to your own deliberate judgment, whether the members of the said Executive Council concur therein or otherwise, entering nevertheless on the Minutes of the said Council a minute of your reasons at length, in case you should decide any

such

such question in opposition to the judgment of the majority of the members thereof.

39. And whereas you will receive through one of our principal Secretaries of State a book of tables in blank (commonly called "The Blue Book"), to be annually filled up with certain returns relative to the Revenue and Expenditure, Militia, Public Works, Legislation, Civil Establishments, Pensions, Population, Schools, Course of Exchange, Imports and Exports, Agricultural Produce, Manufactures, and other matters, in the said "Blue Book" more particularly specified, with reference to the state and condition of our said forts and settlements: Now we do hereby signify our will and pleasure, that all such returns be accurately prepared, and punctually transmitted to us, from year to year, through one of our principal Secretaries of State, and that no officer in our said settlements and their dependencies within whose department it may be to contribute any return or returns for the purposes aforesaid, or to prepare the same when so contributed, shall be entitled to receive or shall receive from you any warrant for the payment of his official salary which may become due and payable to him, so long as such duty as aforesaid shall be in arrear, or remain unperformed.

40. And it is our further will and pleasure that you do to the utmost of your power promote religion and education among the native inhabitants of our said forts and settlements and their dependencies, or of the lands thereto adjoining, and that you do especially take care to protect them in their persons, and in the free enjoyment of their possessions, and that you do by all lawful means prevent and restrain all violence and injustice, which may in any manner be practised or attempted against them, and that you take such measures as may appear to you to be necessary for their conversion to the Christian faith, and for their advancement in civilisation.

41. And we do hereby declare our pleasure to be, that the preceding Instructions shall be taken and understood as addressed to the Governor for the time being of our said forts and settlements and their dependencies, or to the officer for the time being administering the Government thereof, notwithstanding the same, or any part thereof, may be in terms addressed to you the said Stephen John Hill.

42. And we do hereby reserve to ourselves, our heirs and successors, full power and authority, from time to time, to revoke, alter, renew, or explain these our Instructions, or any part thereof.

V. R.

— No. 3. —

No. 3.

ADDITIONAL INSTRUCTIONS, under the Royal Sign Manual and Signet, to the Governor of the Gold Coast, appointing the Colonial Secretary for the time being a Member of the Legislative and Executive Councils, in the room of the Collector of Customs.

VICTORIA R.

ADDITIONAL INSTRUCTIONS to our trusty and well-beloved *Stephen John Hill*, Esq., Major in our Army, our Governor and Commander-in-Chief, in and over our Forts and Settlements on the Gold Coast and their Dependencies, or in his absence to our Lieutenant-governor, or the Officer administering the Government of our said Forts and Settlements for the time being. Given at our Court at Windsor, this 12th day of February 1853, in the 16th year of Our Reign.

WHEREAS in pursuance and exercise of the powers in us vested in and by a certain Act of Parliament made and passed in the sixth year of our reign, intituled, "An Act to enable Her Majesty to provide for the Government of Her Settlements on the Coast of Africa and in the Falkland Islands," and for other purposes, We did issue our Royal Charter under the Great Seal of our United Kingdom, bearing date at Westminster, the 24th day of January 1850, in the 13th year of our reign, whereby amongst other things we did authorise the Governor or the Lieutenant-governor for the time being of our said forts and settlements on the Gold Coast, and such other persons, not being less than two, as are in the said charter designated, to constitute and be a Legislative Council for our said forts and

settlements; and did by the said charter further declare, that in addition to the said Governor or Lieutenant-governor, the said Council should be composed of such public officers within the said forts and settlements, or of such other persons as should from time to time be named or designated by us, by any instruction or instructions, warrant or warrants, to be by us for that purpose issued, under our signet and sign manual, and with the advice of our Privy Council; and that all such councillors should hold their places in the said Council at our pleasure.

And whereas by the said charter we did further authorise the Governor of our said forts and settlements for the time being to summon as our Executive Council such persons as should from time to time be named or designated by us in any instructions under our signet and sign manual, to be addressed to him in that behalf.

And whereas by our Commission under the Great Seal of our United Kingdom of Great Britain and Ireland, bearing date at Westminster, the 1st day of April 1851, in the 14th year of our reign, we did constitute and appoint you to be our Governor and Commander-in-Chief in and over our said forts and settlements.

And whereas by our Instructions to you, under our Royal Sign Manual and Signet, being the Instructions referred to in and accompanying our said Commission, we did nominate and appoint, among others, the Collector of Customs for our said forts and settlements for the time being, to be a member of the Legislative Council of our said forts and settlements; and did further, by the said Instructions nominate and appoint the said Collector of Customs to be a member of the Executive Council of our said forts and settlements.

And whereas it hath appeared to us fitting to revoke the appointment of the said Collector of Customs to be a member of the said Legislative and Executive Councils. Now know you, that we have revoked and determined, and by these our Additional Instructions, under our Royal Sign Manual and Signet, do revoke and determine the appointment of the said Collector of Customs for the time being, to be a member of the said Legislative and Executive Councils, and the said appointment is hereby revoked and determined accordingly. And further know you, that we do by these our Additional Instructions under our Royal Sign Manual and Signet, declare our will and pleasure to be, that the Colonial Secretary for our said forts and settlements for the time being, or the person lawfully discharging the duties of Colonial Secretary for our said forts and settlements for the time being, shall, by virtue of such his office, be a member of the Legislative and Executive Councils of our said forts and settlements; and we do hereby nominate and appoint the said Colonial Secretary for the time being, or the person lawfully discharging the duties of Colonial Secretary for the time being, to be a Member of the said Legislative and Executive Councils.

V. R.

— No. 4. —

No. 4. *James Coleman Fitzpatrick*, Esq., to be Judicial Assessor on the Gold Coast.

V. R.

Trusty and well-beloved, We greet you well. Whereas by on Act of Parliament made and passed in the seventh year of our reign, intituled, "An Act to remove Doubts as to the exercise of Power and Jurisdiction by Her Majesty within divers Countries and Places out of Her Majesty's Dominions, and to render the same more effectual," it was enacted, that it was and should be lawful for us to hold, exercise and enjoy any power or jurisdiction which we then had, or might at any time thereafter have, within any county or place out of our dominions, in the same and as ample a manner as if we had acquired such power or jurisdiction by the cession or conquest of territory. And whereas at the time of passing of the said Act We had, and still have, by usage and sufferance, or by one or other of these, or by other lawful means, power and jurisdiction, within divers countries and places out of, but adjacent to, our forts and settlements on the Gold Coast. Now know you, that we, reposing especial trust and confidence in the loyalty, integrity and ability of our trusty and well-beloved James Coleman Fitzpatrick, Esq., have thought fit hereby to authorise and require you forthwith to cause

Letters

Letters Patent to be passed under the public seal of our said forts and settlements, constituting and appointing the said James Coleman Fitzpatrick to be assessor or assistant to the native sovereigns and chiefs within the countries aforesaid, to have, hold, exercise and enjoy the said office and place during our pleasure, with all the rights, profits, privileges and advantages thereunto belonging or appertaining. And for so doing this shall be your warrant.

Given at our Court at Osborne-house, Isle of Wight, this 17th day of December 1847, in the 11th year of our reign.

By Her Majesty's Command.

(signed) *Grey.*

Superscribed:

To our trusty and well-beloved Norman Macdonald, Esq., our Captain-general and Governor-in-Chief in and over our Colony of Sierra Leone and its Dependencies, or in his absence to our Lieutenant-governor, or the Officer administering the Government of our Forts and Settlements on the Gold Coast.

—No. 5.—

ORDER IN COUNCIL (3 September 1844) appointing *Cape Coast Castle* a place for the Trial of Offenders brought there under 6 & 7 Vict. c. 94. No. 5.

AT the Court at Windsor, the 3rd day of September 1844.

PRESENT:

The QUEEN'S Most Excellent MAJESTY in Council.

WHEREAS by a certain Act of Parliament made and passed in the Session of Parliament holden in the 6th & 7th years of Her Majesty's reign, intituled, "An Act to enable Her Majesty to provide for the Government of Her Settlements on the Coast of Africa and in the Falkland Islands," it is amongst other things enacted, that it shall be lawful for Her Majesty, by any Order or Orders to be by Her made with the advice of Her Privy Council, to establish all such laws, institutions and ordinances, and to constitute such courts and officers, and to make such provisions and regulations for the proceedings in such courts, and for the administration of justice, as may be necessary for the peace, order and good government of Her Majesty's subjects, and others within the said present or future settlements respectively, or any of them, any law, statute or usage to the contrary notwithstanding.

And whereas, by another Act of Parliament made and passed in the same Session of Parliament, intituled, "An Act to remove Doubts as to the exercise of power and Jurisdiction by Her Majesty within divers Countries and Places out of Her Majesty's Dominions, and to render the same more effectual," it is amongst other things enacted, that it is and shall be lawful for Her Majesty to hold, exercise and enjoy any power or jurisdiction which Her Majesty now hath or may at any time hereafter have within any country or place out of Her Majesty's dominions, in the same and as ample a manner as if Her Majesty had acquired such power or jurisdiction by the cession or conquest of territory.

And whereas Her Majesty hath power and jurisdiction within divers countries and places adjacent to Her Majesty's forts and settlements on the Gold Coast in Africa; Her Majesty is pleased, by and with the advice of Her Privy Council to order, and it is hereby ordered, that all judges, magistrates, assessors and other officers duly appointed to exercise the said power and jurisdiction in the name and on behalf of Her Majesty, within the countries and places aforesaid, shall in the exercise thereof observe, until further order, such of the local customs of the said countries and places as may be compatible with the principles of the law of England, and in default of such customs shall proceed in all things as nearly as may be according to the said law of England; and in further pursuance of the powers by the said Acts of Parliament vested in Her Majesty, Her Majesty is pleased, by and with the advice of Her Privy Council, to appoint the settlement

of Cape Coast Castle and the colony of Sierra Leone as British colonies, to which it shall be lawful for any person having authority derived from Her Majesty in that behalf, by warrant under his hand and seal, to cause any person charged with the commission of any crime or offence, the cognizance whereof may at any time appertain to any judge, magistrate or other officer of Her Majesty within the countries and places aforesaid, to be sent for trial, or in order that sentences passed within such countries and places as aforesaid may by carried into effect within such colonies.

And the Right honourable Lord Stanley, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(signed) *C. C. Greville.*

— No. 6. —

No. 6.

ADDITIONAL ROYAL INSTRUCTIONS to the Governor of *Sierra Leone*, 20th November 1844.*

George M'Donald, Esq.; Additional Instructions, Sierra Leone.

VICTORIA R.

ADDITIONAL INSTRUCTIONS to our trusty and well-beloved *George M'Donald*, Esq., Lieutenant-Colonel in our Army, our Captain-General, and Governor-in-Chief in and over our Colony of Sierra Leone and its Dependencies, or in his absence to our Lieutenant-Governor, or the Officer administering the Government of our Forts and Settlements on the Gold Coast, for the time being. Given at our Court at Windsor, this 20th day of November 1844, in the Eighth year of Our Reign.

WHEREAS by a certain Act of Parliament made and passed in the seventh year of our reign, intituled, "An Act to remove Doubts as to the exercise of Power and Jurisdiction by Her Majesty within divers Countries and places out of Her Majesty's Dominions, and to render the same more effectual," it was amongst other things enacted, that it should be lawful for us to hold, exercise and enjoy any power and jurisdiction which We at that time had or might at any time thereafter have within any country or place out of our dominions, in the same and as ample a manner as if We had acquired such power or jurisdiction by the cession or conquest of territory. And it was further enacted, that it should and might be lawful for any person having authority derived from us in that behalf, by warrant under his hand and seal, to cause any person charged with the commission of any crime or offence, the cognisance whereof might at any time appertain to any judge, magistrate or other our officer, within any such country or place as aforesaid, to be sent for trial to any British colony which we might by any Order or Orders in Council from time to time appoint in that behalf. And it was further enacted that if any offender should have been sentenced to suffer death or imprisonment for or in respect of any crime or offence, of which such offender should have been lawfully convicted before any judge, magistrate, or other our officer within any such country or place as aforesaid, it should be lawful for any person having authority, derived from us in that behalf, by warrant under his hand and seal, to cause such offender to be sent to any British colony which he might by any Order or Orders in Council from time to time appoint in that behalf, in order that the sentence so passed upon such offender might be carried into effect within the same. And it was further enacted that if any offender should have been ordered or sentenced to be transported beyond the seas by any judge, magistrate, or other our officer within any such country or place as aforesaid, or having been adjudged to suffer death, should have received our most gracious pardon, upon condition of transportation beyond the seas, it should be lawful for any person having authority derived from us in that behalf, to cause such offender to be sent to any place beyond the seas to which convicts might at any time be lawfully transported from any part of our dominions. And whereas we were pleased by an Order made on the 3d day of September last, by and with the advice of our Privy Council, reciting, as the fact is, that we have power and jurisdiction with divers countries and places adjacent to our Forts and Settlements on

* The Gold Coast was at this date a dependency of the Government of Sierra Leone.

on the Gold Coast in Africa, to appoint the settlement of Cape Coast Castle and the Colony of Sierra Leone as British colonies, to which it should be lawful for any person having authority derived from us in that behalf, to cause any person charged with the commission of any crime or offence, the cognizance whereof might at any time appertain to any judge, magistrate or other our officer within the countries and places adjacent to our forts and settlements on the Gold Coast in Africa, to be sent for trial, or in order that sentences passed within such countries and places as aforesaid might be carried into effect within such colonies: And whereas it is expedient to make further provision for the full exercise of the jurisdiction aforesaid:

Now therefore, in pursuance and exercise of the power vested in us, We do by these our Instructions under our Royal Sign Manual and Signet authorise and require you, or our Lieutenant-governor of our forts and settlements on the Gold Coast, and in addition to you, or to our Lieutenant-governor of our said forts and settlements, George M'Lean, Esq., and the two justices of the peace whose names shall be standing first in order in any general commission of the peace, issued by you or by our Lieutenant-governor of our said forts and settlements (such commission of the peace being revocable and renewable from time to time by you, or by our Lieutenant-governor of our said forts and settlements as you or he may find occasion) to be our officers to exercise jointly or severally the power and jurisdiction we have within the countries and places adjacent to our forts and settlements on the Gold Coast aforesaid, as assessors or assessor, or assistants or assistant to the native sovereign and chiefs within such countries and places; and in like manner jointly or severally, by warrant under your, their or his hands, or hand and seals or seal, to cause any person charged with the commission of any crime or offence, the cognizance whereof may at any time appertain to you, or them, or to any judge, magistrate or other officer of Her Majesty within the countries and places aforesaid, to be sent to our settlement of Cape Coast Castle or our colony of Sierra Leone for trial, or in order that sentences passed within such countries and places as aforesaid may be carried into effect within such colonies; and in like manner jointly or severally to cause any offender who shall have been ordered or sentenced to be transported beyond the seas by any judge, magistrate or other our officer within any such country or place as aforesaid, or who having been adjudged to suffer death, shall have received our most gracious pardon, upon condition of transportation beyond the seas, to be sent to any place beyond seas, to which convicts may at any time be lawfully transported from any part of our dominions.

V. R.

—No. 7.—

The Local Ordinance, commonly called the Poll Tax (19th April 1852). No. 7.

At a general meeting of the chiefs and headmen of the towns and districts upon the Gold Coast under British protection, held at Cape Coast Castle on the 19th day of April 1852, in the presence of his Excellency Major Hill, Governor and Commander-in-chief, and the civil and military officers of his government, it was unanimously resolved and agreed upon,—

1. That this meeting, composed of his Excellency the Governor, his Council, and the chiefs and headmen of the countries upon the Gold Coast under British protection, constitutes itself into a Legislative Assembly, with full powers to enact such laws as it shall seem fit for the better government of those countries.

2. That this Assembly be recognized by Her Majesty's Government as legally constituted; that it be called the Legislative Assembly of native chiefs upon the Gold Coast; that it be presided over by his Excellency the Governor, who shall have the power to assemble, prorogue, and adjourn it at pleasure, and that its enactment, sanctioned and approved of by the Governor, shall immediately become the law of the country, subject to the approval of Her Majesty the Queen, and be held binding upon the whole of the population being under the protection of the British Government.

3. That this Legislative Assembly, being thus duly constituted, having taken into consideration the advantages which the chiefs and natives derive from the protection afforded them by Her Majesty's Government, consider it reasonable

and necessary that the natives generally should contribute to the support of the Government by submitting from time to time to pay such taxes as may be determined upon by the majority of the chiefs assembled in council with his Excellency the Governor.

4. That it appears to the chiefs at present assembled in council that the most productive, the least burdensome, and the most equitable tax which, in the present state of the country can be levied, would be a poll tax upon the gross amount of the population enjoying the protection of the British Government.

5. That, entertaining the views here expressed, the chiefs and headmen do for themselves and their people voluntarily agree to pay annually to the Government the sum of 1*s.* sterling per head for every man, woman, and child residing in the districts under British protection.

6. That the collection of this tax be confided to officers appointed by his Excellency the Governor, assisted by the chiefs, who, in consideration of annual stipends to be paid to them by the Government, agree to give in their several districts their cordial assistance and the full weight of their authority in support of this measure, and to aid the tax-gatherers in taking a census of the population and in collecting the tax.

7. That pay-notes, specifying the services to be rendered, and the amount of pay to be given to each chief or headman, be immediately granted under the hand and seal of the Governor, payable annually after the collection of the tax, upon certificates given by the tax-getherer of the district that the services specified have been duly performed.

8. That it shall be competent for the tax-gatherer to sue any person refusing to pay the tax before the native chief of the district, or an English magistrate, as for common debt, and that the master of a house or head of a family be considered responsible for the whole of the inmates of the house.

9. That any obstruction offered to the gatherer, or assault made upon him in the execution of his duty, shall be punished by a fine or imprisonment, one-half of all such fines to be paid to the chief of the district or town.

10. That it shall be competent for the tax-gatherer and chief of a district, subject to the approval of the Governor, to make such local arrangements for facilitating the collection of the tax as may be found expedient.

11. That the revenue derived from this tax, after payment of the stipends of the chiefs, and other expenses attending its collection, be devoted to the public good, in the education of the people, in the general improvement and extension of the judicial system, in affording greater facilities of internal communication, increased medical aid, and in such other measures of improvement and utility as the state of the social progress may render necessary, and that the chiefs be informed of the mode of its application, and entitled to offer such suggestions on this point as they may consider necessary.

12. That a proclamation based upon these resolutions be issued by His Excellency the Governor to carry them into full effect during this current year; and that such proclamation, issued with the full concurrence of the legislative assembly of the native chiefs upon the Gold Coast, shall have in every respect the force of a law, and be held binding upon the whole of the native population being under the protection of the British Government.

his
George Fynn × Aggery, Chief of Cape Coast.
mark.

Cabboceers of Cape Coast:

his
Attah × Coffee.
mark.
his
Coffee × Amoah.
mark.
his
Coffee × Coomah.
mark.

his

his
Coffee × Chinguran.
mark.
his
Quabino × Menyah.
mark.
his
Ammoney × Chief of Annamaboe.
mark.
Appeah, × Cabboceer of Annamaboe.
Quakee Ephram × Chief of Denkera.
Ampontin × Captain to Chief of Denkera.
Effien × Captain to Chief of Denkera.
Chibboo × Arbarbeo, Chief of Dixcove.

Cabboceers of Dixcove:

Essein × Mensah × Coomah.
Addabee for Braee.
Thomas × Coffee.
Ahmanckie × Brokenta ×.
Addabee ×.
Quamin Deawool × Cabboceer of Secondee.
Quamino × Ammoah, Chief of Abrah.
Quashie × Ankah, Cabboceer of Donassie.
Thomas × Solomon, Cabboceer of Donassie.
Chibboo × Coomah, Chief of Yancoomassie.
Gabil × Chief of Mansu.
Yuo × Fansee Cabboceer.
Bondequay × Chief of Winnebah.
Quoro Cootooacoo × Chief of Mumford.
Quamino × Menyah, Chief of Mumford.
Quashie × Eccoom, Chief of Aggonah.
Yuow × Doodoo, Chief of Aggonah.
Eddoom × Ashantee, Chief of Assam.
Endow × Ampah, Captain of Mumford.
Quamino × Ahwil, Chief of Agah.
Cudjoe × Bahyinnie, Chief of Appolonia.
Amakay × and Quacoe × Yarkoo, Cabboceers of Appolonia.
Tandoe × Ayoun Coffee
Arleah × Coffee Essergoe
Ahwoochie × Quamino
Amatay × Cudjoe × Bocary for Essen
} Captains of Appolonia.
Quacoe × Arfoal, Chief of Queen Ann's Point.
Akinny, × Cabboceer of Eccoonfee.
Coffee × Appray, Cabboceer of Quarmin.
Coffee × Andoe, Chief of Emyenebrim.
Ackaafoo, × Chief of Commendah.
Quabino × Pankeran, Captain of Commenda.
Quamino × Ashum for Quamino.
Horkoo, Cabboceer of ditto.
Coffee × Mensah, Captain of Commenda.
Quashie × Essanpon, Captain of Commenda.
Eddoo, × King of Fantee.
Enimilly, × King of Warsaw.
Quacoe × Andoe, Interpreter to King of Warsaw.
Coffee × Ahil, Quacoe × Arsawah
Quoro × Bocoroe, Quabino × Geetooh,
Coffee × Artobrah
} Captains to King Enimilly.
Coffee × Enimil, Chief of Boosoomchie.
Cudjoe Barcoon, Chief of Sekkay.
Quamino Bassanin, Chief of Takquah.
Quabino × Ebboo, Chief of Eppinto.
Coffee × Kaye, Chief of Eppinto.
Quacoe × Mensah Mamfee.
Coffee × Beddoo Bansoo.
Tandoe Quabino, Chief of Peppasal
Quashie × Kessie, Chief of Mansu
Coffee × Boroah, Chief of Empohor
Coffee × Ammonoo, Chief of Daddeasa
} For these Chiefs, not present. his Enimilly, × King of Warsaw. mark.
Quamino × Abrohomah, Chief of Adjumacoon.
Quamino Ahquah Ennoo.
Quamino of Abbarsen and Eyen.
Quamino × Ebbeasah, Captain ditto.
Quabino × Ahmorquah, Chief of Essicoomah.
Jepay × Abbansah, Chief.

GOLD COAST.

On the part of Her Majesty's Government, I fully recognize the legality of this self-constituted legislative assembly of chiefs, and I approve, sanction and confirm the whole of the foregoing resolutions.

(signed) *Stephen J. Hill*, Governor.

Witnesses to the foregoing signature,

(signed) *H. W. Firth*, Colonial Secretary.
Captain *Bird*, Gold Coast Corps.
Lieut. *Alex. Braoo*, 1st W. I. R.
Lieut. *Child*, Gold Coast Corps.
Lieut. *J. Cochrane*, Gold Coast Corps.
Lieut. *Robert Horsley*, Gold Coast Corps.
James Davys, Assistant Surgeon, Gold Coast Corps.
John De Croft, Writer.

No. 8.

No. 8. The Local Ordinance of 16 Vict. (April 26th 1853), intituled, "An Ordinance for the establishment of a Supreme Court of Civil and Criminal Jurisdiction within Her Majesty's Forts and Settlements on the Gold Coast."

WHEREAS it is expedient to make provision for the better administration of justice within Her Majesty's forts and settlements on the Gold Coast:

1. Be it therefore enacted, by His Excellency Stephen John Hill, Governor and Commander-in-chief of Her Majesty's Forts and Settlements on the Gold Coast, by and with the consent of the Legislative Council thereof, and by authority of the same, that a court of jurisdiction, to be styled "The Supreme Court of Her Majesty's Forts and Settlements on the Gold Coast," be and hereby is constituted and established.

2. And be it further enacted, that the said Supreme Court shall be holden and presided over by a Chief Justice, to be hereinafter nominated and appointed, who shall, at the time of his appointment, be a barrister-at-law of one of the Inns of Court at Westminster, of Dublin, or an Advocate of the Court of Session in Scotland.

3. And be it further enacted, that the said Supreme Court shall be a court of record, and shall within the said forts and settlements, and within this jurisdiction, have cognizance of all pleas, civil and criminal, and jurisdiction in all cases whatsoever, as fully and amply, to all intents and purposes, as Her Majesty's Courts of Queen's Bench, Common Pleas and Exchequer at Westminster, or either of them, lawfully have or exercise; and the said court shall also, at all times, be a court of oyer and terminer, and general gaol delivery, in and for the said forts and settlements; and the said Chief Justice, so to be appointed, shall have and exercise such and the same jurisdiction and authority in the said forts and settlements as the Judges of the Courts of Queen's Bench, Common Pleas and Exchequer in England, or any of them, lawfully have and exercise, and as shall be necessary for carrying into effect the several jurisdictions, powers and authorities committed to the said court.

4. And be it further enacted, that the said Supreme Court of Her Majesty's Forts and Settlements on the Gold Coast shall and may inquire of, hear and determine all treasons, piracies, robberies, murders, conspiracies, and other offences, of what nature or kind whatsoever committed, or that shall be committed, upon the sea, or any haven, river, creek or place where the Admiral or Admiralty have authority, power or jurisdiction, according to the common course of the laws of the realm of England, and used for offences committed upon the land and within the realm of England, and not otherwise; and that all persons convicted of the offences to be inquired of, heard and determined in the said court, shall be subject and liable to, and shall suffer all such and the same pains, penalties and forfeitures, as

as by any law or laws now in force persons convicted of the same would be subject and liable to in case the same were respectively inquired of, tried, heard, determined and adjudged in England, any law, statute or usage to the contrary notwithstanding.

5. And be it further enacted, that the said court shall be held at Cape Coast Castle, or such other of Her Majesty's forts on the Gold Coast, and at such times and so often as the Governor and Commander-in-chief of Her Majesty's forts and settlements for the time being may direct and appoint.

6. And be it further enacted, that any action of law to be brought in the said Supreme Court, when the parties, plaintiff and defendant, shall join issue on any matter of fact, the trial of such issue or issues may be heard by the said Chief Justice, and a jury of not less than six men; and that on the trial of any person or persons upon any charge or information before the said court, such trial may be had by the said Chief Justice, and a jury of not less than six men, whose unanimous verdict shall, to all intents and purposes, be as valid and binding as the verdict of 12 men would have been in the same case.

7. And be it further enacted, that it shall not be necessary before bringing any person or persons to trial before the said Supreme Court, to present any bill of indictment to any grand jury against such person or persons, or to have or hold any preliminary inquiry before any other tribunal, save and except such inquiry as any justice of the peace may deem it necessary to make before committing such person or persons for trial before the said court.

8. And be it further enacted, that it shall and may be lawful for persons to serve as jurors on the trial of said issues or persons before mentioned in the said Supreme Court, who are not or shall not at the time of such trial be inhabitants of any of Her Majesty's forts or settlements on the Gold Coast: Provided always, that such persons shall either be the subjects of Her Majesty the Queen or inhabitants of those countries adjacent to Her Majesty's forts and settlements on the Gold Coast, which are under Her Majesty's protection.

9. And be it further enacted, that the Honourable James Coleman Fitzpatrick, now filling the office of Judicial Assessor, or assistant to the native sovereigns and chiefs of the countries adjacent to Her Majesty's forts and settlements on the Gold Coast, be and hereby is nominated and appointed Chief Justice of the said Supreme Court, and that the said Chief Justice shall receive the sum of 300*l.* sterling per annum, in addition to his present salary as Judicial Assessor as aforesaid.

10. And whereas it is expedient to provide means for the revision of decrees or judgments pronounced by the said Judicial Assessor in certain cases: And whereas a suitor before the native tribunals would be entitled to appeal from the decision of his chief to a council of wise men and captains; be it further enacted, that in all cases wherein the matter in dispute between the parties is of the value of 300*l.* sterling, or upwards, it shall and may be lawful for any person interested in the case, and who feels aggrieved by the decision of the said Judicial Assessor, within 10 days of the pronouncing of such decision, and upon lodging in court the sum of 50*l.* to cover any costs or damages the respondent may incur therein, to appeal to the Governor and Council for reversal of the same.

11. And be it further enacted, that it shall and may be lawful for the Governor and Legislative Council of Her Majesty's forts and settlements on the Gold Coast to entertain, hear, and determine such appeals, and to measure the costs and damages aforesaid, and they are hereby required so to do: Provided, that on the hearing of such appeals there shall be present, in addition to the Governor and Judicial Assessor, at least one other member of Council; and provided also, that no member of Council, who is interested in any way in the result of such appeal, shall sit on the hearing thereof; and that in the event of the number of voices being agreed in the determination or judgment upon such appeal, the Governor for the time being shall have two voices.

12. And be it further enacted, that notwithstanding the lodging of such appeal as aforesaid, and pending the hearing thereof, the original decree of the court of the Judicial Assessor shall be in operation and full force as if no appeal had been lodged: Provided, nevertheless, that all money and property levied under or in virtue of such decree, shall remain in the custody of the court until the decision on such appeal shall be made known.

GOLD COAST.

13. And be it enacted, that this Ordinance shall come into operation immediately on the passing thereof.

(signed) *Stephen J. Hill,*
Governor and Commander-in-Chief.

— No. 9. —

No. 9.

AN ORDINANCE to amend an Ordinance of the 16th Year of the Reign of Her Majesty Queen Victoria, dated the 26th April 1853, intituled, "An Ordinance for the Establishment of a Supreme Court of Civil and Criminal Jurisdiction within Her Majesty's Forts and Settlements on the Gold Coast."

1. WHEREAS by an Ordinance passed in the 16th year of the reign of Her Majesty Queen Victoria, by the Governor and Legislative Council of Her Majesty's Forts and Settlements on the Gold Coast, and bearing date the 26th day of April 1853, it was amongst other things enacted, that a court of jurisdiction to be styled "The Supreme Court of Her Majesty's Forts and Settlements on the Gold Coast" should be constituted and established, and that the said Supreme Court be holden and presided over by a chief justice, to be thereinafter nominated and appointed: And whereas by the said Ordinance it was further enacted, that the Honourable James Coleman Fitzpatrick, then filling the office of judicial assessor or assistant to the native sovereigns and chiefs of the countries adjacent to Her Majesty's forts and settlements on the Gold Coast, should be nominated and appointed Chief Justice of the Supreme Court.

2. And whereas the said James Coleman Fitzpatrick having resigned such offices of chief justice and judicial assessor, the Honourable Henry Connor has been appointed by Her Majesty to succeed the said James Coleman Fitzpatrick in such office of chief justice and judicial assessor; and whereas no provision is made by the said Ordinance of the 16th year of the reign of Her Majesty with reference to such office of chief justice being held by any person other than the said James Coleman Fitzpatrick, and whereas it is expedient that such defect should be remedied:

3. Be it therefore enacted, by his Excellency Stephen John Hill, Governor and Commander-in-Chief of Her Majesty's forts and settlements on the Gold Coast aforesaid, by and with the consent of the Legislative Council thereof, and by authority of the same, that all and every the provisions of the said Ordinance of the 16th year of Her Majesty's reign shall be deemed, from the time of such appointment of the said Henry Connor as such chief justice as aforesaid, to apply to the said Henry Connor as to the office of chief justice, as held by him, as fully as if the said last-mentioned Ordinance had contained provisions for the appointment of a successor to the said James Coleman Fitzpatrick, and that the said Henry Connor had been appointed chief justice in conformity with such provisions, and the said Ordinance had been enacted to be in force in respect of the chief justice for the time being of such Supreme Court.

4. And be it further enacted, that any vacancy which may at any time or times occur in such office of Chief Justice of such Supreme Court as aforesaid may be filled up by Her Majesty, Her heirs and successors, by the appointment of any person qualified, as in the said Ordinance of the 16th year of the reign of Her Majesty expressed, and that all and every the provisions of the said last-mentioned Ordinance shall apply to every person to be so appointed chief justice and to the office of Chief Justice of such Supreme Court as held by such person, as fully as such provisions are hereby made applicable to the said Henry Connor, and to such office of chief justice, as so holden by him.

Stephen J. Hill, Governor.

APPENDIX.

Anno Duodecimo and Decimo Tertio Victoriæ Reginæ.

Cap. XCVI.

AN ACT to provide for the Prosecution and Trial in Her Majesty's Colonies of Offences committed within the Jurisdiction of the Admiralty.—[1st August 1849.] (Referred to at page 10.)

Whereas by an Act passed in the eleventh year of the reign of King William the Third, intituled, "An Act for the more effectual Suppression of Piracy," it is enacted, that all piracies, felonies and robberies committed on the sea, or in any haven, river, creek, or place where the admiral or admirals have power, authority or jurisdiction, may be examined, inquired of, tried, heard, and determined and adjudged, in any place at sea or upon the land in any of his Majesty's islands, plantations, colonies, dominions, forts or factories, to be appointed for that purpose by the King's Commission, in the manner therein directed, and according to the civil law and the method and rules of the Admiralty: And whereas by an Act passed in the forty-sixth year of the reign of King George the Third, intituled, "An Act for the speedy Trial of Offences committed in distant Parts upon the Sea," it is enacted, that all treasons, piracies, felonies, robberies, murders, conspiracies, and other offences of what nature or kind soever, committed upon the sea, or in any haven, river, creek or place where the admiral or admirals have power, authority or jurisdiction, may be inquired of, tried, heard, determined, and adjudged according to the common course of the laws of this realm used for offences committed upon the land within this realm, and not otherwise, in any of His Majesty's islands, plantations, colonies, dominions, forts or factories under and by virtue of the King's Commission or Commissions under the Great Seal of Great Britain, to be directed to Commissioners in the manner and with the powers and authorities therein provided: And whereas it is expedient to make further and better provision for the apprehension, custody and trial in Her Majesty's islands, plantations, colonies, dominions, forts and factories of persons charged with the commission of such offences on the sea, or in any such haven, river, creek or place as aforesaid: Be it therefore enacted, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any person within any colony shall be charged with the commission of any treason, piracy, felony, robbery, murder, conspiracy, or other offence of what nature or kind soever, committed upon the sea, or in any haven, river, creek or place where the admiral or admirals have power, authority or jurisdiction, or if any person charged with the commission of any such offence upon the sea, or in any such haven, river, creek or place shall be brought for trial to any colony, then and in every such case all magistrates, justices of the peace, public prosecutors, juries, judges, courts, public officers, and other persons in such colony shall have and exercise the same jurisdiction and authorities for inquiring of, trying, hearing, determining and adjudging such offences; and they are hereby respectively authorised, empowered, and required to institute and carry on all such proceedings for the bringing of such person so charged as aforesaid to trial, and for and auxiliary to and consequent upon the trial of any such person for any such offence wherewith he may be charged as aforesaid, as by the law of such colony would and ought to have been had and exercised or instituted and carried on by them respectively if such offence had been committed, and such person had been charged with having committed the same, upon any waters situate within the limits of any such colony, and within the limits of the local jurisdiction of the courts of criminal justice of such colony.

10 & 11 Will. 3, c. 7.

46 Geo. 3, c. 54.

All persons charged in any colony with offences committed on the sea, may be dealt with in the same manner as if the offences had been committed on waters within the local jurisdiction of the courts of the colony.

2. Provided always, and be it enacted, that if any person shall be convicted before any such court of any such offence, such person so convicted shall be subject and liable to and shall suffer all such and the same pains, penalties and forfeitures as by any law or laws now in force persons convicted of the same respectively would be subject and liable to in case such offence had been committed, and were inquired of, tried, heard, determined and adjudged in England, any law, statute or usage to the contrary notwithstanding.

Persons convicted of such offences shall suffer the like punishments as on conviction of like offences in England.

3. And be it enacted, that where any person shall die in any colony of any stroke, poisoning, or hurt, such person having been feloniously stricken, poisoned, or hurt upon the sea, or in any haven, river, creek, or place where the admiral or admirals have power, authority, or jurisdiction, or at any place out of such colony, every offence committed in respect of any such case, whether the same shall amount to the offence of murder or of manslaughter, or of being accessory before the fact to murder, or after the fact to murder or manslaughter, may be dealt with, inquired of, tried, determined, and punished in such colony in the same manner in all respects as if such offence had been wholly committed in that colony; and that if any person in any colony shall be charged with any such offence as aforesaid in respect of the death of any person who, having been feloniously stricken, poisoned, or otherwise hurt, shall have died of such stroke, poisoning, or hurt upon the sea,

Provision for the trial of murder and manslaughter, where the death only happens in the colony or upon the sea.

GOLD COAST.

or in any haven, river, creek, or place where the admiral or admirals have power, authority, or jurisdiction, such offence shall be held for the purpose of this Act to have been wholly committed upon the sea.

Jurisdiction of the Supreme Courts of New South Wales and Van Diemen's Land preserved. 9 Geo. 4, c. 83.

4. Provided also, and be it enacted, that nothing in this Act contained shall in any way affect or abridge the jurisdiction of the Supreme Courts of New South Wales and Van Diemen's Land, as established by an Act passed in the ninth year of the reign of King George the Fourth, intituled, "An Act to provide for the Administration of Justice in New South Wales and Van Diemen's Land, and for the more effectual Government thereof, and for other purposes relating thereto."

Interpretation of terms.

5. And be it enacted, that for the purposes of this Act the word "colony" shall mean any island, plantation, colony, dominion, fort, or factory of Her Majesty, except any island within the United Kingdom, and the islands of Man, Guernsey, Jersey, Alderney, and Sark, and the islands adjacent thereto respectively, and except also all such parts and places as are under the government of the East India Company; and the word "Governor" shall mean the officer for the time being administering the government of any colony.

Act may be amended, &c.

6. And be it enacted, that this Act may be amended or repealed by any Act to be passed during this present Session of Parliament.

WEST COAST OF AFRICA.

COPIES or EXTRACTS of any ACTS of PARLIAMENT, ORDERS in COUNCIL, CHARTERS of JUSTICE or GOVERNMENT, and LOCAL ORDINANCES, defining the existing Civil and Judicial Constitutions of the British Settlements on the WEST COAST of AFRICA.

(*Mr. John Forster.*)

Ordered, by The House of Commons, *to be Printed,*
11 *July* 1855.

[*Price* 1*s.*]

383.

Under 16 *oz.*

WEST INDIES.

RETURN to an Address of the Honourable The House of Commons, dated 22 February 1855;—*for*,

A "COPY of all CORRESPONDENCE, since the 1st day of January 1854, by or between the Governors or Lieutenant-Governors of any of the *West India* Colonies, the Treasury, the Colonial Office, or the Commissioners for the West India Island Relief Fund, relative to Estates in the *West Indies* indebted to Government for ADVANCES made to them by reason of LOSSES sustained by them in the HURRICANES of 1831-32."

Colonial Office,
30 March 1855.

G. GREY.

(*Mr. Hamilton.*)

Ordered, by The House of Commons, *to be Printed*,
30 *March* 1855.

SCHEDULE.

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		1853:			
1.	The Duke of Newcastle to Governor Sir William Colebrooke and Governor Mackintosh.	31 Oct. (43)* 31 Oct. (23)	- - -	With copy of a Communication from the Lords of the Treasury, 24 August 1853, covering a Report from the Secretary to the West Indian Islands Relief Commissioners, containing the particulars of the Hurricane Loans granted to the several Islands, and calling for a Report on the subject of the repayment of the amount due - - - - -	1
				Letter from F. Peel, Esq., to Sir C. Trevelyan, 20 October 1853, relative to the position of the several Islands of Barbadoes, St. Vincent, St. Lucia, and Dominica - - - - - - - -	3
				Return of the Exports of Sugar from 1831 to 1852, with the annual average of Prices - - - - - - - -	4
2.	The Duke of Newcastle to Governor Sir William Colebrooke and Governor Mackintosh.	29 Dec. (3 General)† (Dominica) - -		With Copy of a Minute of the Lords Commissioners of the Treasury, in reference to the Loans advanced by the West India Relief Commissioners - - - - - - -	4
				Instructions for the recovery of the Sums due from Barbadoes, St. Vincent, &c. -	5
		1854:			
3.	H. Merivale, Esq., to Sir C. E. Trevelyan.	30 Jan.- -	- - -	Forwarding, for the information of the Lords of the Treasury, copies of the following Despatches respecting the Loans granted to the Islands of Barbadoes and St. Lucia -	6
			Barbadoes -	1. Governor Colebrooke, No. 85, 21 December 1853. Reporting on the subject of the Loans granted by Her Majesty's Government, under the Act 2 & 3 Will. 4, c. 125, for the relief of Barbadoes - - - - - - - -	6
			St. Lucia -	2. Governor Colebrooke, No. 60, 24 December 1853. Similar Report with reference to the ability of the Island of St. Lucia to repay the Amount due - - - - - - - -	7
4.	H. Merivale, Esq., to Sir C. E. Trevelyan.	9 Feb. - -	Dominica -	Forwarding, for the information of the Lords of the Treasury, copy of the following Despatch from Governor Mackintosh - - - -	8
				Governor Mackintosh, No. 2, 10 January 1854, containing a Report relative to the Loan granted for the Relief of Dominica, and the ability of the Island to pay the Amount due - - - - - -	8
				Return of quantity of Coffee, the produce and exported from the Island, from the year 1851 to the year 1852, inclusive -	11
5.	H. Merivale, Esq., to Sir C. E. Trevelyan.	5 April- -	St. Lucia -	Forwarding, for the consideration of the Lords of the Treasury, copy of a Memorial from Mr. William Muter, of St. Lucia, dated 24 March 1854, praying that the West India Relief Commissioners may be empowered to compound with the St. Lucia Crown Debtors	11

* Similar Despatch relative to the Islands of St. Vincent and St. Lucia, Nos. 19 & 35.

† Similar Despatch relative to the Islands of St. Vincent and St. Lucia.

No. in Series.	From whom.	Date and Number.	COLONY.	SUBJECT.	Page.
		1854:			
6.	H. Merivale, Esq., to Sir C. E. Trevelyan.	9 May - -	St. Vincent	Transmitting for the information of the Lords of the Treasury copy of the following Despatch - - - - - - - - -	12
				Governor Colebrooke, No. 13, 28 March 1854, enclosing Correspondence with the Lieutenant-governor of St. Vincent, relative to measures for enforcing Repayment of the Loans - - - -	12
7.	H. Merivale, Esq., to Sir C. E. Trevelyan.	17 May -	- - -	Transmitting for the consideration of the Lords of the Treasury, copy of the following Despatch - - - - - - - - -	14
			St. Vincent	Governor Colebrooke, No. 7, 1 March 1854, reporting on the Loans granted to Proprietors of Estates in St. Vincent -	14
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8.	Sir C. E. Trevelyan to H. Merivale, Esq.	31 May -	St. Vincent	Enclosing copies of Communications from the West India Island Relief Commissioners, dated 17 and 29 May 1854, relative to the Recovery of Loans advanced to owners of Estates in St. Vincent - - - - -	21
				Statement of Amounts advanced - -	24
9.	The Duke of Newcastle, to Governor Sir W. M. G. Colebrooke.	5 June - (37)	St. Vincent	Transmitting for his information and guidance, copies of the preceding Communications -	25
10.	Sir C. E. Trevelyan to H. Merivale, Esq.	2 June - -	Dominica -	Report of the West India Relief Commissioners, dated 17 May 1854, on the measures necessary to be taken for the Repayment of the Dominican Loan - - - - - -	25
11.	The Duke of Newcastle, to Governor Mackintosh.	12 June - (42)	Dominica -	Transmitting copy of the above Report, and requesting that certain information required by the West India Relief Commissioners may be furnished without delay - - -	27
12.	F. Peel, Esq., M.P., to Sir C. E. Trevelyan.	17 June -	Dominica -	Transmitting, for the consideration of the Lords Commissioners of the Treasury, a copy of the following Despatch - - - - - - -	28
				Governor Mackintosh, No. 14, 8 May 1854, enclosing a Resolution of Joint Committee of Council and Assembly of Dominica, suggesting certain modified terms for the liquidation of Loan advances - - - - - - - -	28
13.	H. Merivale, Esq., to Sir C. E. Trevelyan.	17 June -	St. Vincent -	Transmitting, for the consideration of the Lords Commissioners of the Treasury, a copy of the following Despatch - - - - - -	29
				Governor Colebrooke, No. 30, 3 May 1854, forwarding a Despatch from the Lieutenant-governor of St. Vincent with a Memorial from Mr. Alexander Cumming, the nominal Proprietor of two Estates in the Island, which are liable to be sold to pay off the Loans secured upon them - - - - - -	29

No. in Series.	From whom.	Date and Number.	COLONY.	SUBJECT.	Page.
	"	1854:			
14.	Sir C. E. Trevelyan to H. Merivale, Esq.	9 Aug. - -	St. Vincent -	Referring to the above Despatch, forwarding copy of a Report from the West India Relief Commissioners, dated 20 July, on the subject of Mr. Cumming's application, and stating the decision of the Lords Commissioners of the Treasury - - - - - - -	31
15.	The Right Hon. Sir G. Grey, Bart., to Governor Colebrooke.	14 Aug. - (5)	St. Vincent -	In reply to Despatch No. 30, 3 May, transmits copy of the preceding Communication from the Lords of the Treasury - - -	32
16.	H. Merivale, Esq., to Sir C. E. Trevelyan.	11 Aug. -	- - -	Transmitting, for the consideration of the Lords Commissioners of the Treasury, copies of the following Despatches and Letters - -	32
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				Mr. Muter, 22 April 1854, on the same subject - - - - - - -	34
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17.	G. Arbuthnot, Esq., to H. Merivale, Esq.	22 Sept. -	St. Lucia and Barbadoes.	In reply to the preceding Communication, forwards copy of a Letter from the West India Relief Commissioners, dated 1 September, relating to the Pearl Estate, St. Lucia, and partly to the Loans advanced for Barbadoes -	37
18.	J. Wilson, Esq., to F. Peel, Esq.	4 October -	Dominica -	Conveying the decision of the Lords of the Treasury on the proposal contained in Governor Mackintosh's Despatch, No. 14 of 8 May, for the repayment of the balance of the Debt due by Dominica on account of the Hurricane Loan - - - - -	38
19.	The Right Hon. Sir George Grey, Bart., to Governor Mackintosh.	14 Oct. - (7)	Dominica -	Communicating the above decision - - -	38
20.	T. Frederick Elliott, Esq., to Sir C. E. Trevelyan.	10 Oct. -	Barbados -	Forwarding for the consideration of the Lords of the Treasury copy of a correspondence with Messrs. Daniel & Co., respecting the recovery of the Balances due from Estates in Barbados upon the Hurricane Loan - -	38
21.	Sir C. E. Trevelyan to H. Merivale, Esq.	31 Oct. -	Barbados -	Forwarding copy of a Report (19 October 1854) from the West India Relief Commissioners on the subject of Messrs. Daniel's application	39
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22.	F. Peel, Esq., to J. Wilson, Esq.	19 January -	Dominica -	Forwarding for the consideration of the Lords of the Treasury the following Despatch and accompanying Documents - - - - -	40
				Governor Mackintosh, No. 32, 11 December 1854. Transmitting copies of two addresses presented to the President administering the Government of Dominca by the Council and Assembly, and also copy of a Despatch addressed by Governor Mackintosh to that officer relating to the repayment of the Hurricane Loan - -	40

COPY of all CORRESPONDENCE, since the 1st day of January 1854, by or between the Governors or Lieutenant-Governors of any of the *West India* Colonies, the Treasury, the Colonial Office, or the Commissioners for the West India Islands Relief Fund, relative to Estates in the *West Indies* indebted to Government for ADVANCES made to them by reason of LOSSES sustained by them in the HURRICANES of 1831-32.

— No. 1. —

(No. 43.)

No. 1.
Duke of Newcastle to Gov.-Gen. Sir W. Colebrooke.
31 Oct. 1853.

COPY of a DESPATCH* from the Duke of *Newcastle* to Governor-General Sir *William Colebrooke.*

Sir,† Downing-street, 31 October 1853.

I TRANSMIT to you herewith a copy of a letter from the Assistant Secretary to the Lords Commissioners of the Treasury, together with the answer returned to it by my direction, on the subject of the loan granted for the relief of the island of Barbados.

Treasury, 24 Aug. 1853.
Colonial Office, 20 Oct. 1853.

I have to request that you will furnish me with such a report on the subject as will enable me to afford the Lords Commissioners more satisfactory information as regards the ability of the island of Barbados to repay amount due.

I am, &c.
(signed) *Newcastle.*

Enclosure 1, in No. 1.

Encl. 1, in No. 1.

Sir, Treasury Chambers, 24 August 1853.

I AM directed by the Lords Commissioners of Her Majesty's Treasury to transmit to you herewith copy of a report from the Secretary to the West Indian Islands Relief Commissioners, dated the 12th instant, upon the subject of the loans granted for the relief of those islands, and also copy of the minute of this Board, dated the 19th instant thereon; and I am to request that you will submit these papers for the perusal and observations of the Duke of Newcastle, especially for any observations which his Grace may wish to make as regards the position of any particular island.

I am, &c.
(signed) *James Wilson.*

F. Peel, Esq. M.P.,
&c. &c, &c.

Sub-Enclosure 1, to Enclosure 1, in No. 1.

Exchequer Bill Loan Office, South Sea House,
12 August 1853.

My Lords,

I AM directed to draw your Lordships' attention to the several Acts of Parliament regulating the proceedings of this Board, particularly with reference to the time limited for repayment of the loans advanced thereunder, the extension of time for such repayment, and the expediency of instituting proceedings for enforcing payment of the principal and interest in arrear, or abstaining from such proceedings for a limited time.

By the Act 2 & 3 Will. 4, c. 125, this Board was authorized to advance in Exchequer bills 200,000 *l.* for the public service of the island of Jamaica, on the credit of the said island, and not exceeding 300,000 *l.*, for enabling the owners of estates injured by insurrections to resume the cultivation thereof.

By the same Act the Commissioners were further enabled to advance, not exceeding 500,000 *l.* to the islands of Barbadoes, St. Vincent, and St. Lucia, with power to advance any

* This despatch, of a date prior to the papers required by this Address, is introduced in order to explain what follows.

† Similar despatches addressed to { Governor-General Sir William Colebrooke { St. Vincent, No. 19. St. Lucia, No. 35. Governor-General Mackintosh - - { Dominica, No. 23.

any part for the public service of Barbadoes and St. Vincent on the credit of these islands, and the residue of the said sum to enable the owners of estates injured by hurricane to resume the cultivation thereof.

The securities to be given for repayment of the monies advanced to proprietors of estates were mortgages of the properties for which the advances were required; and the principal sums in all cases were to be repaid at or previously to the expiration of 10 years from the time of every such loan being advanced, interest at four per cent. being payable annually after the expiration of the first three years.

Under the above-mentioned Act a loan of 200,000 *l.* was advanced for the public service of the island of Jamaica, of which 40,011 *l.* 4 *s.* 10 *d.* have been repaid, and the balance, amounting to 159,988 *l.* 15 *s.* 2 *d.*, is in arrear; 102,688 *l.* 15 *s.* 2 *d.* have been paid on account of interest from the advance of the loan to February 1847, from which time interest has accrued, but remains wholly unpaid.

In addition to the advances for the public service of Jamaica, 58 loans, amounting to 244,100 *l.*, were advanced to proprietors of estates, a considerable portion of which sum is now due, with a large arrear of interest.

A loan of 25,000 *l.* was advanced for the public service of the island of Barbadoes, the whole of which has been repaid with interest; and in addition thereto, 103 loans* have been advanced to proprietors of estates, a considerable portion of which is now due, with a large arrear of interest.

* Amounting to 278,550 *l.*

For the island of St. Vincent no public loan was applied for, but 32 loans were advanced to proprietors of estates, amounting in the whole to 104,750 *l.*, nearly the whole of which is unpaid, with a considerable arrear of interest, and 19 loans, amounting to 18,800 *l.*, were advanced to proprietors of estates in the island of St. Lucia, a considerable portion of which, with interest, is in arrear.

By the 5 & 6 Will. 4, c. 51, the Commissioners were authorised to appropriate not exceeding 80,000 *l.* for the island of Dominica, and to advance not exceeding 10,000 *l.*, part thereof for the public service, on the credit of the revenue or public property of that island, and the residue of the said sum of 80,000 *l.* to the owners of estates injured by hurricane, to enable them to resume the cultivation thereof; such loans being advanced on the same terms as those under the first-mentioned Act, and repayable with interest in like manner.

Under the last-mentioned Act a loan of 10,000 *l.* was advanced for the public service of the island of Dominica, of which 4,595 *l.* 6 *s.* 10 *d.* has been repaid, and the balance, amounting to 5,404 *l.* 13 *s.* 2 *d.* is in arrear; 4,232 *l.* 4 *s.* 10 *d.* have been paid on account of interest, from the advance of the loan to November 1847, from which time interest has accrued, but remains wholly unpaid.

In addition to the advance for the public service of Dominica, 64 loans, amounting to 66,950 *l.* were advanced to proprietors of estates, the whole of which is unpaid, with a considerable arrear of interest thereon.

By the 3 & 4 Vict. c. 40, the Commissioners, with the consent of the Lords of the Treasury, were authorised to extend the time for repayment of the loans for 10 years from the time originally fixed for such repayment, upon condition that the principal sums were discharged by 10 equal annual instalments, and upon such other conditions as in the Act particularly mentioned.

In 1848, in consequence of the great depression in West India property, arising principally from the increased expenses of cultivation and the low prices of produce, an Act was introduced by the Government, and passed (11 & 12 Vict. c. 38), whereby this Board was authorised, provided all interest due in respect of such loans had been paid, to forbear from compelling payment of any instalment of principal for five years from the passing of that Act, viz. 14th August 1848, the accruing interest being annually paid.

Notwithstanding every possible exertion has been made under the directions of this Board, the interest in many cases has got considerably into arrear; and if the Commissioners had proceeded to seize the estates for enforcing payment, numerous estates would have been abandoned, and, as the Commissioners are informed, no purchasers would have been forthcoming. In a few instances in Jamaica, in which parties have given notice of their intention to abandon their properties, the estates have been sold by public auction by the Commissioners-in-Aid in that island, under the direction of this Board, although at very little beyond what may be considered nominal prices, and in some few instances purchasers have not been found.

As the time during which the Commissioners were authorized to forbear from compelling payment of the principal of loans will expire on the 14th of the present month, I am directed to draw your Lordships' attention thereto; and to inform you that, from numerous communications received at this office, and from inquiries which have been made by the Board's officers, there is reason to believe that many of the borrowers will not be able to pay during the present year the whole of the sums which were in arrear at the time of the passing of the last-mentioned Act, and which, by the terms thereof, ought to be repaid on the 14th instant.

It is, however, believed, that some of the borrowers, particularly in the island of Barbadoes, would be willing to pay portions of such arrears immediately, and the residue during the ensuing or the following year, with the accruing instalments of principal with interest, if the Commissioners would abstain for a limited time from instituting proceedings to enforce the payment of the whole sums now due.

In several cases the parties have stated that if the Board insists upon the immediate payment

payment of the whole arrear, they must relinquish their estates in favour of the Commissioners, and submit to be ruined.

Under these circumstances, I am directed to inquire whether it is your Lordships' pleasure that this Board should adopt the proceedings authorized by the Acts of Parliament, and securities, to enforce the payment of the principal and interest now due, by bringing the mortgaged estates to sale; or whether it is your Lordships' wish that the Commissioners should, from time to time, receive such sums as they may be enabled to obtain from borrowers on account, and abstain from unduly pressing for the payment of the whole; and make such arrangements as the circumstances attending each case may appear to justify, without prejudicing the Board's claims under the Acts of Parliament and the securities.

If your Lordships should be of opinion that this course, until further directions, should be taken by the Commissioners for the gradual recovery of the sums due, so as to secure the largest and speediest possible amount of repayment, without taking such steps as might not only endanger the interests of the Crown, but at the same time press harshly and severely on the borrowers, your Lordships would probably desire that a report should be made, from time to time, detailing the proceedings of the Commissioners in this matter.

I have, &c.
(signed) *T. S. Brickwood*, Secretary.

The Lords Commissioners of Her Majesty's Treasury,
&c. &c. &c.

Sub-Enclosure 2, to Enclosure 1, in No. 1.

Copy of Treasury Minute, dated 19 August 1853.

Write to the Exchequer Loan Commissioners, that my Lords have read the report of the 12th August, upon the subject of the West India Relief Loans, with great regret and disappointment, that so much difficulty should be experienced after the signal lenity which has been extended to the borrowers in enforcing the conditions on which the loans were made.

My Lords advert to the fact, that in 1840 an Act was passed by which the principal sums then due were made payable in ten yearly instalments; and again, to an Act passed in 1848, by which the payments of those instalments should be suspended for the space of five years, "provided all interest due in respect of such loans had been paid." The period of suspended payments expired on the 14th instant; and my Lords are disappointed to find, by the report now before them, that not only was not the interest due in 1848 paid, but that in a great majority of cases, interest has, during the period of suspended instalments, fallen into great arrears.

It is a matter of further disappointment to my Lords to observe, by the report before them, that the borrowers state that they are now unable to pay even the arrears due, without a considerable further extension of time; and that this applies to some islands which are known to have enjoyed considerable prosperity.

My Lords are of opinion that the time has now arrived when decisive steps should be taken to place these loans in the course of liquidation upon some clear and well defined principle, with satisfactory security; but before coming to a final decision on the subject, my Lords desire to be furnished with a debit and credit account of each loan, showing the balance due for principal and for arrears of interest.

Enclosure 2, in No. 1.

Encl. 2, in No. 1.

Sir, Downing-street, 20 October 1853.

I am directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 24th of August, expressing the wish of the Lords Commissioners of the Treasury to receive any remarks his Grace may desire to make on the report of the 12th of August from the Secretary to the West Indian Relief Commissioners, on the subject of the loans to the islands of Jamaica, Barbadoes, St. Vincent, St. Lucia, and Dominica, granted to the four former islands by the Act 2 & 3 Will. 4, c. 125 (16th August 1832); and to Dominica by the Act 5 & 6 Will. 4, c. 51 (31st August 1835); and especially desiring to be made acquainted with his Grace's views as to the position of any particular island.

In reply, I am to request that you will submit to their Lordships the enclosed return, showing the amounts of sugar exported from each of these islands for each year from 1831 (the year preceding the earlier of the loans) to 1852; with the annual averages of prices of sugar for the same period. Their Lordships will perceive that the exports of sugar from Jamaica have fallen in that time from 1,429,093 cwt. in 1831, to 511,247 cwt. in 1852. But whilst the exports from Jamaica have suffered this great fall, those from Barbadoes have risen from 379,052 cwt. in 1831, to 743,010 cwt. in 1852; and those of St. Vincent, St. Lucia, and Dominica have not very greatly varied either way. The same return shows, on comparison of averages, that the price of sugar has fallen during this interval, but not to any very great extent.

The presumption afforded by these facts is, that the resources of Jamaica are at a very low ebb; whilst those of Barbadoes should be abundant, and those of the other islands not materially deficient as compared with what they have been, and may be expected to be. But his Grace proposes to obtain a report from the respective Governors, to enable him to answer their Lordships' inquiry with more confidence.

Sir C. Trevelyan,
&c. &c. &c.

I have, &c.
(signed) *F. Peel.*

Sub-Enclosure to Enclosure 2, in No. 1.

EXPORTS of SUGAR from 1831 to 1852, with Annual Average of Prices.

Year.	Jamaica.	Barbadoes.	St. Vincent.	St. Lucia.	Dominica.	Average Annual Price.
	Cwts.	*Cwts.*	*Cwts.*	*Cwts.*	*Cwts.*	£. s. d.
1831	1,429,093	379,052	221,662	72,376	56,339	1 3 8
1832	1,431,689	266,465	186,812	47,966	58,270	1 7 8
1833	1,256,991	384,971	194,889	46,548	47,372	1 9 8
1834	1,256,253	394,527	213,017	63,306	54,876	1 9 5
1835	1,148,760	344,689	195,057	54,732	25,014	1 13 5
1836	1,054,042	373,428	186,482	38,084	35,213	2 – 10
1837	904,001	445,713	201,062	51,430	33,724	1 14 7
1838	1,053,181	473,587	194,033	61,691	48,290	1 13 8
1839	765,078	395,109	151,899	50,215	29,385	1 19 2
1840	517,217	207,484	96,325	37,087	34,673	2 9 1
1841	527,810	257,105	110,205	51,097	42,342	1 19 8
1842	779,149	312,563	127,269	65,564	55,278	1 16 11
1843	659,575	348,505	132,843	54,299	46,118	1 13 9
1844	529,934	328,708	135,592	69,383	52,801	1 13 8
1845	742,855	351,484	132,673	71,250	57,883	1 12 11
1846	572,875	302,496	129,870	63,562	52,700	1 14 5
1847	751,408	469,021	175,615	88,368	65,452	1 8 3
1848	627,008	403,309	144,116	61,154	58,000	1 3 8
1849	633,471	488,619	158,186	67,404	48,565	1 5 4
1850	574,796	524,651	139,567	53,903	51,816	1 6 1
1851	627,768	583,830	163,409	69,928	60,239	1 5 6
1852	511,247	743,010	176,591	73,484	63,575	1 2 5

Loans to Jamaica, Barbadoes, St. Vincent, and St. Lucia, under Act 2 & 3 Will. 4, c. 125, 16 August 1832.
Loan to Dominica, under Act 5 & 6 Will. 4, c. 51, 31 August 1835.

— No. 2. —

No. 2.
Duke of Newcastle to Gov.-Gen. Sir W. Colebrooke.
29 December 1853.

(No. 3. General.)

COPY of a DESPATCH* from the Duke of *Newcastle* to Governor-General Sir *William Colebrooke.*

Sir,† Downing-street, 29 December 1853.

I TRANSMIT to you for your information and guidance, so far as it concerns the islands of (Barbados, St. Vincent, and St. Lucia), the enclosed Minute of the Lords Commissioners of the Treasury, in reference to the loans advanced by the West India Relief Commissioners.

20 December 1853.

You will not fail forthwith to take such steps as may be requisite with a view to the recovery of the sums due from Barbados (and St. Vincent), in conformity with the plan laid down in their Lordships' Minute.

I am, &c.

(signed) *Newcastle.*

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* This despatch, of a date prior to that required by the Address, is introduced in order to explain what follows.

† Similar despatch addressed to Governor-General Mackintosh, Dominica, No. 31.

Enclosure in No. 2.

Encl. in No. 2.

TREASURY MINUTE, dated 20 December 1853.

My Lords have before them a statement, prepared by the West India Relief Commissioners, in conformity with the Minute of this Board of the 29th ultimo, of their suggestions as to the mode of proceeding for the recovery of the balances now due, with interest thereon, from the under-mentioned colonies:—Jamaica, Barbadoes, St. Vincent, St. Lucia, Dominica.

These loans were advanced by the Commissioners pursuant to the Act 2 & 3 Will. 4, c. 125, and subsequent Acts.

My Lords refer to the accounts transmitted with the previous report of the Commissioners of the 6th of October 1853, showing the amount of the loans advanced, the sums received, and the sums remaining due from each of these islands.

Their Lordships concur in the recommendations of the Commissioners. They conceive that, in all these cases, the first step to be taken should be to ascertain how far the several proprietors of estates would be willing to compound the claims upon them according to the provisions of the Act 8 & 9 Vict., c. 50, and that, failing in carrying into effect such arrangements, the Commissioners should then be authorised to take further measures for the recovery of the amount due in the manner following:—

Jamaica.—The consideration of the steps to be taken for recovery of the balance of the loan of 200,000 *l.* advanced for the public service of the island, with the arrears and accruing interest thereon, to be postponed for the present.

In the present depressed state of property in the island, the partial abandonment of some estates, and the total abandonment of others, it does not appear expedient to cause the estates remaining charged with loans (41 in number) to be brought to sale immediately, but that the West India Relief Commissioners be instructed to cause the estates to be from time to time brought to sale, as the circumstances, or the probability of finding purchasers, may in their judgment render expedient, in the event of the Commissioners being unable to induce the proprietors of estates to compound the loans under the provisions of the Act 8 & 9 Vict., c. 50.

Barbadoes.—My Lords will request the Secretary of State for the Colonies to instruct the Governor to re-assemble the Commissioners-in-Aid in that island, and, if necessary, to nominate two new Commissioners to act with him and the Attorney-general (*ex officio* Commissioners) under the Act 2 & 3 Will. 4, c. 125, s. 9, in order to be prepared to carry out the instructions of the Commissioners-in-Chief with respect to the loans charged upon the estates in that island, or taking such proceedings for recovery of such loans, with interest, as may be deemed expedient.

Their Lordships desire that a warrant be prepared, authorising the West India Relief Commissioners to extend the time for repayment of loans in this island in all cases not already extended, subject to the payment of all arrears of interest and accruing interest annually, and repayment of the principal by instalments within the time prescribed by the existing Acts of Parliament, namely, 25 years from the advance of the respective loans, and subject also to the terms and conditions in the Acts mentioned.

They also desire that instructions be given to the Commissioners to take immediate and active measures, by bringing a portion of the estates to judicial sale, and otherwise for enforcing the payment of the arrears of the several loans, with interest, or by entering into arrangements with borrowers for the immediate payment of all arrears of interest, and the gradual liquidation of the principal within the period limited by the Acts of Parliament relating thereto.

St. Vincent.—Their Lordships will cause a similar communication to be made to the Secretary of State for the Colonies, with a view to the re-assembling of the Commissioners-in-Aid in that island.

They desire that the Commissioners-in-Chief be authorised to cause the necessary instructions to be given to the Commissioners-in-Aid to take proceedings for bringing a few of the estates to sale for the recovery of the arrears of principal and interest due in respect of the loans charged thereon; and that notice be given to the proprietors of other estates that similar proceedings will be taken against their estates in the event of all arrears of interest not being forthwith paid, and satisfactory arrangements made for the liquidation of the principal, within the time prescribed by the Acts of Parliament relating thereto.

St. Lucia.—My Lords desire that the Commissioners-in-Chief be instructed to take immediate and active steps for enforcing payment of all arrears of principal and interest due in respect of the several loans; or, upon payment of the arrears of interest, to make arrangements with borrowers for the liquidation of principal within the period limited by the Acts of Parliament; or in the event of the present value of any estate charged with a loan being less than the amount of such loan and interest, to negotiate with the borrower for compounding the loan and interest pursuant to the powers of the Act 8 & 9 Vict., c. 50, s. 3, with the consent thereby required.

Dominica.—Their Lordships will request the Secretary of State for the Colonies to make a similar request, as in the cases of Barbadoes and St. Vincent, to the Lieutenant-governor

of this island, with a view to the re-assembling of the Commissioners-in-Aid, and further, to instruct the Governor to take the necessary steps for the payment of the balance of the loan of 10,000 *l.* advanced for the public service of the island, amounting to 5,404 *l.* 13 *s.* 2 *d.* with interest thereon at four per cent. from the 9th of November 1847.

They also desire that similar instructions be given to the Commissioners-in-Chief, as before directed, with respect to the loans in the island of St. Vincent.

Transmit copy of this minute to the West India Relief Commissioners, for their information, and authorize them to proceed, in the manner pointed out, for the recovery of the sums due from the respective colonies.

Prepare warrant for granting the extension of time proposed for the loans in the island of Barbadoes.

— No. 3. —

No. 3.
H. Merivale, Esq. to Sir C. E. Trevelyan.
30 January 1854.
* Page 1.
† Page 3.

COPY of a LETTER from *H. Merivale,* Esq., to Sir *C. E. Trevelyan,* K.C.B.

Sir, Downing-street, 30 January 1854.

WITH reference to your letter of the 24th August,* and to my reply, dated 20th October,† I am directed by the Duke of Newcastle to transmit to you, for the information of the Lords Commissioners of the Treasury, the enclosed copies of despatches received from the Governor-in-Chief of the Windward Islands, respecting the loans granted to the Islands of Barbadoes and St. Lucia, under the Act 2 & 3 Will. 4, c. 125

I am, &c.
(signed) *H. Merivale.*

Barbados, No. 85, 21 Dec. 1853. *See infra.*
St. Lucia, No. 60, 24 Dec. 1853. *See p. 7.*

Encl. 1, in No. 3.

Enclosure 1, in No. 3.

(No. 85.) Barbadoes, 21 December 1853.
(Received, 16 January 1854.)

My Lord Duke,

‡ Page 1.

I HAVE had the honour to receive your Grace's despatch, Barbadoes, No. 43,‡ of the 31st of October, calling for a report on the subject of the loans granted by Her Majesty's Government under the Act 2 & 3 Will. 4, c. 125, for the relief of Barbadoes.

These loans are stated by the Exchequer Loan Commissioners to have consisted of 25,000 *l.*, advanced for the public service of the island, the whole of which has been repaid with interest; and of 278,550 *l.* advanced to proprietors of estates, of which, according to the latest return of March 1851, 158,755 *l.* was then due, together with a large accumulation of interest. That the securities given for repayment of those monies were mortgages on the respective properties; and the conditions of the loans being the repayment of the principal with interest, in ten yearly instalments; that by an Act (11 & 12 Vict., c. 38), the repayment of instalments of principal was deferred for five years, provided all arrears of interest had been paid up, and the accruing interest being annually paid from the 14th of August 1848; that the interest, however, had fallen into arrear, but that some of the borrowers were willing to pay portions of such arrears immediately, and the residue in the years 1854 and 1855, with the accruing instalments of principal and interest, if proceedings should not be instituted to enforce payment of all the sums due by them.

It being the opinion of the Lords of the Treasury that decided steps should be taken to place these loans in the course of liquidation, and as allusion has been made to the abundant resources of Barbadoes, as exemplified in a comparative return of sugar exported, and of the average prices, appended to Mr. F. Peel's letter of the 20th of October, I think it fair to remark, without contending against this view of the condition of the island, that the increase of production has been accompanied by such a reduction in the average price, as materially to have diminished the profits of the planter.

With every allowance, however, that can be made, it is extremely to be regretted that the interest of these loans should have been allowed to fall into arrear; a practice alike injurious to the public, and unfair to junior creditors, whose claims are injured by such accumulated charges, while it is unjust to other proprietors who have paid their interest with regularity, although in the same circumstances with those who have neglected so to do.

Indeed, in the list of borrowers, there are persons who have monies invested upon other properties, probably at an interest of 6 per cent. per annum, while omitting to discharge the interest at 4 per cent. on their loans from the public, and which, from the current value of property in Barbadoes, there could be no question of their ability to have punctually discharged.

I have only to add, that it has been alleged that produce has in some instances been set apart for the payment of interest upon loans, which had not been so applied by the commercial agents, to whom the consignments had been made.

I have, &c.
The Duke of Newcastle. (signed) *W. M. G. Colebrooke.*

Enclosure 2, in No. 3.

Windward Islands, Barbados,
24 December 1853.
(Received, 16 January 1854.)

(No. 60.)

My Lord Duke,

I HAVE the honour to enclose copy of a despatch from the Lieutenant-governor of Saint Lucia, containing the information called for in your Grace's despatch, No. 35,* of the 31st October last, relative to the loans granted for the relief of that island.

No. 91, 20 Dec. 1853.

I have, &c.

The Most Noble the Duke of Newcastle, &c. &c. &c.

(signed) *W. M. G. Colebrooke.*

* Page 1.

Sub-Enclosure to Enclosure 2, in No. 3.

(No. 91.)

Sir,

St. Lucia, 20 December 1853.

I HAVE the honour to acknowledge the receipt of your despatch (as per margin), enclosing the copy of a despatch from the Secretary of State, together with copy of correspondence which he had held with the Lords of the Treasury, on the subject of the loan granted for the relief of the Island of St. Lucia, and requesting me to furnish you with a report as to the ability of the island to repay the amount due.

This loan was not, as his Grace seems to think, raised on the credit of the colony, but granted to certain proprietors, who gave mortgages on their estates, as security for the sums advanced to them, respectively.

First on the list of those proprietors is Mr. William Muter, owner of the following estates:

Two Friends, Bois d'Orange, Pearl and Bel Air, St. Pierre, Troumape and Roseau.

Of these estates, one, named Bois d'Orange, has been sold to Messrs. Cavans, of London; it is ample security for the amount advanced by the Government. The others are also very good, except the St. Pierre estate, which would sell for about 500 *l.*

No. 2. Anse Maurice.—This estate is in the hands of the executors of Baron d'Yooley. The heir resides in France; it has been greatly neglected, but, if offered for sale, it would bring about 1,200 *l.*

No. 3. Beausejour.—Is in the hands of Mr. Jean Astie, trustee of children of Charles Moreau Jolimont. It is a very good security.

No. 4. Malgre Tout.—Belongs to Lecúvieux Chalons, residing at Martinique. Security is excellent.

No. 5. Beausejour Vieufort.—The property of Widow Gowey. Security very good.

No. 6. L'Auze Avant and Anse l'Ivrogne.—Formerly the property of John Goodman; lately purchased by Madame Duboulay. Is excellent security.

No. 7. Anse Galet.—The estate of Gabriel Leuger. Is able security.

No. 8. Des Sacis.—Proprietors, Messrs. Muter and Williams. Very good security.

No. 9. Beausejour.—Proprietor, Detchparre Minvielle. This estate if offered for sale, would bring perhaps, principal and interest; at all events, I think it security for principal.

No. 10. Beausejour au Trail.—Owners, Pierre Billy and Numa Chaderton. Very good security.

No. 11. Reunion.—Proprietor, B. Duboulay. Excellent security.

From the above remarks it is evident that if the Goernment were to bring those estates to a sale, no loss would accrue to the Treasury; but it would press severely on the majority of the indebted proprietors. However, it must be done, sooner or later, if it be the determination of Her Majesty's Government to enforce the repayment of those loans.

Some of the proprietors would, I am satisfied, pay up rather than allow their estates to be sold, but such of them as are not in a position to pay, would be great sufferers; inasmuch as that subsequent mortgagees, who are now content if they get their interest, would, in the event of a sale, become purchasers, and thus deprive their debtors of any little advantage which they may now derive from being the nominal proprietors.

I have, &c.

His Excellency the Governor-in-Chief.

(signed) *Maurice Power.*

— No. 4. —

No. 4.
H. Merivale, Esq. to Sir C. E. Trevelyan.
9 February 1854.

COPY of a LETTER from *H. Merivale*, Esq. to Sir *C. E. Trevelyan*, K.C.B.

Sir, Downing-street, 9 February 1854.

I AM directed by the Secretary of State to transmit to you, for the information of the Lords Commissioners of the Treasury, with reference to Mr. Wilson's letter of the 24th August last, the copy of a despatch from the Governor-in-Chief of the Leeward Islands, enclosing one from the Lieutenant-governor of Dominica on the subject of the ability of that island to repay the loan from the Imperial Treasury.

I am, &c.
(signed) *H. Merivale.*

Encl. in No. 4.

Enclosure in No. 4.

Leeward Islands, Antigua.
(No. 2.) 10 January 1854.
(Received, 3 February 1854.)

My Lord Duke, (Answered, 12 June 1854, No. 42, page 27.)

* Page 1.

IN pursuance of the instructions to such effect contained in your Grace's despatch, Dominica, No. 23* of the 31st October, I have now the honour of furnishing your Grace with a report which has been drawn up by the Lieutenant-governor of that island on the subject of its capability, as well collectively as in so far as the private borrowers' resources can be relied on, to repay the sum advanced by the Lords Commissioners of the Treasury, under what is known as the "Hurricane Loan."

2. A distinction would seem to mark this advance to Dominica as compared with those known as the "Earthquake Loans," to the other islands within this Government; inasmuch, as it was made in consideration of what has proved, through the blight of the coffee tree, to be a lasting visitation of Providence, and a consequent annihilation of, rather than any merely reparable injury to property.

3. I have felt some doubt whether it has been your Grace's desire, that this report should have been made in my own person. Notwithstanding which, I should have immediately proceeded to that island for such a purpose, had I not felt myself called at the same time under, as I conceived, more urgent considerations arising out of the fact, that its government is at present under only temporary administration, to Montserrat on business connected with the repayment of the latter island's loan. This result does not appear, keeping in view the clearness of Major Blackall's statement, to be a matter for regret.

I have, &c.
His Grace the Duke of Newcastle, (signed) *R. J. Mackintosh.*
&c. &c. &c.

Sub-Enclosure 1, to Enclosure in No. 4.

(No. 97.)

Roseau, Government House,
Sir, 27 December 1853.

I HAVE the honour to acknowledge the receipt of your Excellency's despatch, No. 63, of December 17th, enclosing a copy of a correspondence which has passed between the Lords Commissioners of the Treasury and Her Majesty's Secretary of State, on the subject of the loans to the several West India Islands.

2. In conformity with your Excellency's request therein contained, I have now the honour to lay before your Excellency all the information I have been able to collect regarding the actual capability of this island to meet her engagements, as well collectively, as with regard to the monies advanced to private borrowers.

3. There can be no doubt that the island could bear the additional taxation which would be required to pay off the public debt remaining due, in ten annual instalments; which I understand to have been the original proposition. But I should not advise an immediate demand for all the interest which has accrued, amounting to about 1,200 *l.* but propose to incorporate this into the principal sum of 5,404 *l.* 13 *s.* 2 *d.*, add to it what may be considered fair for interest during the next ten years, and make that amount repayable in ten annual instalments commencing 1st January 1855.

4. I mention the 1st January 1855, because no provision having been hitherto made for this purpose, it could only produce inconvenience and disappointment were an earlier day named, as the taxation to be imposed must to a certain extent be prospective, and there are no available assets now in the treasurer's hands.

Sub-Enclosure 2.

5. With regard to the money advanced to private individuals, I have, for the sake of clearness, caused a list to be prepared (which I enclose) of the estates on which advances were made; the names of the then proprietors; the names of the present proprietors; the cultivation at the time the loan was made; the present cultivation; and whether the probable present value of the estate is equal to the amount of the loan.

* 6. By

6. By this return your Excellency will perceive that a number of estates on which these loans were made are now abandoned, and these would not realise anything near the amount of the loan advanced, and that many others are not value for the loan due upon them.

7. Your Excellency will also perceive that many estates on which these loans were made were coffee estates, which, from the fearful blight that has for many years prevailed here, are abandoned as such, and have either been turned to the cultivation of sugar, or allowed to return to bush.

8. I would further draw your Excellency's attention to the fact, that many of these estates have changed owners since the loan was made.

9. I have drawn your Excellency's notice to these matters in order to explain the grounds on which I venture to advance the opinion, that great difficulty, if not danger, will be incurred in attempting to enforce the repayment of these loans at this moment, except upon the most liberal terms.

10. In my report accompanying the blue book of last year I observed, that I believed the cause of these loans not being repaid arose as much from the careless manner in which that money was advanced, as from any desire of evasion on the part of the *bonâ fide* borrowers. I have reason to believe that most of the money found its way into the pockets of the merchants, and very little was expended upon the improvement of the estates which it was intended to benefit.

11. In the correspondence enclosed in your Excellency's despatch there is a paper showing the export of sugar from Jamaica and other islands for all the years from 1831 to 1852 inclusive, and from which it is deduced that the resources of Jamaica are at a very low ebb, whilst those of Barbadoes should be abundant, and those of the other islands (including Dominica) not materially deficient, as compared with what they have been and what they may be expected to be.

12. As this is calculated to induce an erroneous conclusion with regard to Dominica, I beg to observe, that sugar until lately was not the staple export of this island; that a very small portion of it can be advantageously cultivated in cane; and that at the time the hufricane of 1834 committed such ravages, and this loan was made, coffee was the main cultivation and source of wealth, since which time the blight to which I have alluded has been everywhere destructive; and though, as shown by the paper in the enclosure in your Excellency's despatch, the export of sugar and its value has not materially altered, yet, by the return which I now enclose of the exports of coffee for the same years, it will appear that such has diminished from 1,612,528 lbs. in the year 1832 to 65,594 lbs. in the year 1852, showing the resources to have been reduced in quite as great a ratio as at Jamaica. Sub-Enclosure 2.

13. I would now describe the position (in my opinion) of the present proprietors, and the effects upon them, and therefore upon the general interests of the colony, were any attempt made to enforce immediate repayment of these loans. I will put the proprietors of estates on which these loans have been made into three classes—those who are still in possession, but have abandoned cultivation; those who are still in possession, and endeavouring to continue cultivation; and those who have since become proprietors of estates, and have thus continued a cultivation likely to be abandoned. The consequences to the first class are sufficiently obvious: they, having no means, would offer no opposition to a sale, which, however, would probably not realise to the Government 6*d.* in the pound upon the debt. The second class also could offer little opposition to a sale, but the consequences would be, I believe, that the sum realised would be far short of what is due; that the land would pass into the hands of persons equally poor, and without the incentive to exertion which has actuated the original proprietor, and whilst the Government would gain little, the island would suffer. The last class are those who have purchased, and whose properties would, I believe, realise the amount of the debts upon them; but this is to be attributed in many instances to the capital which has been brought to bear upon the estates by these proprietors, and not to the intrinsic value of the estates. It is to the exertions and enterprise of these proprietors that the island is most indebted for any present prosperity; and were their estates now brought to a sale, no purchasers would be found with capital to continue the cultivation on the present scale, whilst it is to be feared that if they, from a prospect of their profits being consumed to pay this loan, were to refuse to invest any more capital, and abandon their cultivation, it would cause such a diminution of circulation of money, as to render it impossible to realise the amounts required for the public service of the country, and the Government would run a considerable risk of losing the whole amount of the loan, both public and private, save so far as the estates alluded to would realise.

14. I have thus endeavoured to lay before your Excellency without reserve my opinion of the consequences of moving in this matter at the present moment, except with great caution; and though I cannot but admit that, in strict justice, all arrears of interest might be at once enforced, and an annual instalment be demanded for the future, until the total amount be liquidated, I hope the altered circumstances of the island may be taken into due consideration, as well as the fact that the origin of this incumbrance was a visitation of Providence, and might be viewed (as has been the Irish famine) as a national, and not a local infliction.

I have, &c.
(signed) *Sam^l W. Blackall,*
Lieutenant-Governor.

His Excellency the Governor-in-Chief,
&c. &c. &c.

Sub-Enclosure 2, to Enclosure in No. 4.

ESTATE.	BORROWER.	PRESENT PROPRIETOR.	Amount of Loan.	Cultivation in 1834.	Present Cultivation.	If present Estimated Value equal to Loan.
			£.			
Aberdeen	J. L. Bremner	J. L. Bremner	1,500	Coffee	Sugar	Not.
Birmingham Hill	M. L. Walsh	M. L. Walsh	1,000	Sugar	ditto	Not.
Bedminster and Providence	M. V. Gordon	Hon. T. Gordon	4,000	ditto	ditto	Not.
Bois Cotelette	J. B. Dupigny	J. B. Dupigny	400	ditto	ditto	Yes.
Blenheim	Messrs. Burford & Constable	Leathem	1,500	ditto	ditto	Not.
Bona Vista and Amlia	W. Blanc	W. Blanc	600 400	Coffee	Coffee	Not.
Battalie	Theo. Le Villoux	Gordon and Imray	400	Sugar	Cotton	Yes.
Belvidere	N. Morsan	Hon. W. Davies	2,000	ditto	Sugar	Not.
Belfast	Messrs. Dalrymple & Garraway	Leathem	1,100	ditto	ditto	Yes.
Bellview	S. Bridgewater	S. Bridgewater	600	Coffee	Uncultivated	Not.
Bagatelle	T. W. Doyle	T. W. Doyle	300	ditto	ditto	Not.
Bioche	J. B. M. Du Buc	Hon. W. Davies	800	ditto	ditto	Not.
Bellevue	G. Brumant	Wife	300	ditto	ditto	Not.
Bellevue Fortuné	F. & R. Giraud	F. & R. Giraud	500	Sugar	Sugar	Not.
Bagatelle	E. Steber and Wife	Mrs. Steber	600	Part Coffee and part Sugar.	Coffee & Sugar	Not.
Copt Hall	W. T. Rainy and others	J. Fadelle	1,200	Sugar	Sugar	Yes.
Charmouth	H. Andain and Wife	Hon. W. Davies	500	Coffee	Uncultivated	Not.
Castle Comfort	N. De la Roche and others	Davies and Garraway	1,200	Sugar	Sugar	Yes.
Cumberland Valley and Mount Prosper.	J. Garraway	J. Garraway	1,000	Coffee	Coffee	Yes.
Chateau	J. Finlay and Wife	J. Finlay and Wife	700	ditto	Uncultivated	Not.
Durham	Thomas Bell	Hon. T. Bell	500	ditto	ditto	Not.
Ems Hall	A. Dalrymple and F. Garraway	Hon. W. Davies	1,500	Sugar	Sugar	Not.
Eden	James Mathews	Leathem	1,800	ditto	ditto	Yes.
Farm	J. B. De Ravariere and Wife	Wife	400	Coffee	Uncultivated	Not.
Felicitie	L. St. Ville Gilbert	L. St. Ville Gilbert	500	ditto	Coffee	Not.
Gen va and Nelson's Rest	J. P. Lockhart	Trustees Lockhart	5,000	Sugar	Sugar	Yes.
Grange	Fanny Court and others	Fanny Court and others	500	Coffee	Uncultivated	Not.
Great Capauchin	Antoinette Caret	J. De Raveriere	560	ditto	ditto	Not.
Gomier	W. F. Stewart	W. F. Stewart	600	ditto	ditto	Not.
Gomier	J. A. Labudie	J. Letang	850 650	Part each	Coffee & Sugar	Not.
Hope and Stewart's Hill	Jolly Cockrane	Mrs. Cockrane	1,000 1,000	Coffee	Sugar	Not.
Hampstead	J. Constable and others	Leathem	3,000	Sugar	ditto	Not.
La Jalousie	J. L. Lionne	La Moth, Do.	300	Coffee	Uncultivated	Not.
Knowsley Park	A. Fadelle and Wife	A. Fadelle and Wife	700	ditto	ditto	Not.
L'Attent	E. B. Grano and others	E. B. Grano and others	400	ditto	ditto	Not.
Morne Guay	A. Dalrymple	A. Dalrymple	700 600	ditto	ditto	Not.
Morne Vrai	J. Corlet and Wife	Stedman	450	ditto	ditto	Not.
Mount Joy	T. W. Doyle and Wife	T. W. Doyle and Wife	400	ditto	ditto	Not.
Needs Must	G. Culpepper	G. Culpepper	400	ditto	Coffee	Not.
Onanery	J. P. D'Anglebermes	E. R. Bertrandt	1,200	Sugar	Sugar	Yes.
Point Round	D. S. Laidlaw	W. Johnstone	1,500 1,000	ditto	Uncultivated	Not.
Prince's Grove	H. J. Glanville	Glanville	1,500	Coffee	Sugar	Not.
Point Guinard	P. L. M. Giraud	Glanville	500 200	ditto	Coffee	Not.
Plaisance	R. Baird	Heirs to Glanville	300	ditto	Uncultivated	Not.
Rosalie, 12-15th	S. Robinson	J. Robinson	1,500	Sugar	Sugar	Yes.
Roche D'Or	Anne R. C. Le Villoux	J. Le Villoux	400	Coffee	Uncultivated	Not.
Rosie	J. B. M. Du Buc	Redhead	500	ditto	ditto	Not.
South Chittern	C. D. Roberst	H. D. Watt	600	ditto	ditto	Not.
Sugar Loaf	J. Laidlaw and others	Hon. W. Davies	3,000	Sugar	Sugar	Not.
Stowe	W. Ellisonde	W. Ellisonde	1,000	ditto	ditto	Yes.
Snug Corner	M. Chopin and others	Mrs. Chopin	1,000	Partly	Partly Sugar	Not.
Tranquillity	N. Moreau	Dalrymple	400	Coffee	ditto	Not.
Tabery	E. R. Bertrandt	E. R. Bertrandt	1,200	Sugar	Sugar	Yes.
Wall House	James Laidlaw	Hon. W. Davies	3,000	ditto	ditto	Yes.
Wooton Waven	D. S. Laidlaw	Hon. W. Davies	1,000 1,500	Coffee	Partly Sugar	Not.
Woodford Hill	Rev. Burford and J. Constable	Leatham	1,800 1,500	Sugar	Sugar	Not.

Sub-Enclosure 3, to Enclosure in No. 4.

A RETURN of the Quantity of COFFEE, the Produce of, and Exported from, the Island of *Dominica*, from the Year 1831 to the Year 1852, inclusive.

YEAR.	QUANTITY.	VALUE.
	Lbs.	£.
1831	712,488	20,176
1832	1,612,528	51,011
1833	957,443	32,200
1834	1,026,276	29,670
1835	186,426	5,513
1836	386,315	11,795
1837	251,675	6,956
1838	490,081	15,988
1839	192,502	9,159
1840	371,720	6,874
1841	127,600	4,398
1842	229,660	5,787
1843	150,296	3,463
1844	141,354	3,268
1845	95,427	2,386
1846	123,156	2,870
1847	91,308	2,525
1848	20,994	919
1849	47,714	959
1850	64,225	1,824
1851	58,063	1,448
1852	67,594	1,718

Custom House, Roseau,
24 December 1853.

(signed) *Macnamara Dix*, Comt.

— No. 5. —

No. 5.
H. Merivale, Esq. to Sir C. E. Trevelyan.
5 April 1854.

COPY of a LETTER from *H. Merivale*, Esq., to Sir *C. E. Trevelyan*, K. C. B.

Sir, Downing-street, 5 April 1854.

WITH reference to my letter of the 20th October last, I am directed by the Duke of Newcastle to transmit to you, for the consideration and decision of the Lords Commissioners of the Treasury, a copy of a memorial from Mr. William Muter, of St. Lucia, praying that the West India Relief Commissioners may be empowered to compound with the St. Lucia Crown Debtors. 24 March 1854.

(signed) *H. Merivale.*

Enclosure in No. 5. Encl. in No. 5.

To His Grace the Duke of *Newcastle*, Her Majesty's Principal Secretary of State for the Colonies, &c. &c. &c.

The Memorial of *William Muter*, of the Island of St. Lucia, Proprietor, &c. &c. &c.

Humbly Showeth,

THAT your memorialist as proprietor in the island, as well as delegate appointed by the colonists of St. Lucia, at their public meeting held at Castries on the 14th August 1852, has already had the honour of bringing under your Grace's notice the extreme distress and approaching ruin of himself and fellow colonists from excess of local taxation, and the various, extensive and incessant changes in the home legislation. And has now earnestly to draw your attention to another incident which cannot fail to consummate the ruin, not only of many of his fellow colonists, but possibly lead to the abandonment of a further large portion of the cultivation of the island, if your Grace does not arrest the threatened calamity. The West India Relief Commissioners have addressed a circular to the merchants in the City, connnected with St. Lucia, intimating that they must enforce the pay-

ment of the Crown loans for losses in the hurricane of 1831, by the seizure and sale of the plantations on which these loans are mortgaged. Your memorialist respectfully assures your Grace that neither he nor his fellow colonists have the means to pay those claims, nor credit to raise money for the purpose.

Your memorialist further entreats your Grace to consider that the forced sale of plantations in St. Lucia, under present circumstances, will not only fail to produce repayment of the advances of the Government, but add grievously to the existing distress, by entailing ruin on the other creditors of the estate, who have been induced, in the hope of some favourable change in West India affairs, to advance the money, by which the cultivation has hitherto been maintained.

That your memorialist has now been absent from the colony engaged in these most distressing affairs of his fellow colonists, upwards of 18 months, and their position, as well as his own, is becoming daily more cruel and alarming; the taxation increasing, and the differential duty diminishing. Your memorialist therefore entreats your Grace to consider the awful extent of misery occasioned in the colony already (within the last 20 years) by the seizure and sale of 60 sugar plantations (three-fourths of all the sugar plantations in the island), and again most urgently assures your Grace that your memorialist himself, and the other old proprietors, are now in a state of insolvency from these calamities; the time indeed seems rapidly approaching when a social revolution may be apprehended from their ruin, and by the abandonment of the island by a large proportion of the white proprietors deprived of those hopes, which have hitherto induced them to persevere in their efforts to save their own capital, and that which they had borrowed from their connexions in this country.

Your memorialist therefore most humbly and earnestly prays, that your Grace would be pleased to move the Right honourable the Lords Commissioners of the Treasury to empower the West India Relief Commissioners to compound with the St. Lucia Crown debtors, under the authority of the Act of Parliament, 8 & 9 Vict., c. 50, s. 3, at such rate as the most strict inquiry into the circumstances of the case, both as regards the interests of the public in this country and the state of their prosperity, and the affairs of the planters in St. Lucia, may justify. Above all, your memorialist entreats for as speedy an answer as your Grace's convenience can give, to the prayer he has been deputed to urge on the Government. Further suspense can only aggravate the evil without benefiting any party, and if it is the fixed determination of the Government to require the exaction and repayment of these advances, and to proceed for the recovery of them by the forced sales of the estates, it will almost seem a charity to the proprietors and creditors in St. Lucia that no delay shall take place in communicating the exact period at which orders will be sent to the island for that purpose, &c. &c.

And your memorialist, as in duty bound, will ever pray.

(signed) *William Muter.*

Clapham Common, London,
24 March 1854.

— No. 6. —

No. 6.
H. Merivale, Esq. to Sir C. E. Trevelyan.
9 May 1854.

COPY of a LETTER from *H. Merivale,* Esq. to Sir *C. E. Trevelyan,* K.C.B.

Sir, Downing-street, 9 May 1854.

I AM directed by the Duke of Newcastle to transmit to you, for the information of the Lords Commissioners of the Treasury, the copy of a despatch from the Governor-in-chief of the Windward Islands, with a despatch from the Lieutenant-governor of St. Vincent, on the subject of the advances to estates in that island on account of the Hurricane Loan. These despatches appear to deserve their Lordships' immediate attention.

No. 13, 28 March 1854.

I have, &c.
(signed) *H. Merivale.*

Encl. in No. 6.

Enclosure in No. 6.

(No. 13.)

Windward Islands, Barbados,
28 March 1854.
(Received, 1 May 1854.)

My Lord Duke,

REFERRING to my despatch, No. 7,* of the 1st instant, I have the honour to enclose the copy of a despatch, which I have received from the Lieutenant-governor of St. Vincent, together with my reply relative to the practice of some proprietors and other parties who are connected with certain estates in that island, which are securities for public loans; and as it will be important that prompt measures should be taken for securing the public interests, I submit that the "Commissioners in Chief," should send out without delay the necessary information and authority to the "Commissioners in Aid," to enable them to take proceedings for

*Page 14.

No. 35, 22 March 1854.

No. 210, 28 March 1854.

for recovery of the claims due to the public; and if there should be estates which are solvent, and in the hands of those who can be relied on, to secure their due cultivation and the gradual liquidation of the instalments in arrear, to authorize the Commissioners in Aid to exercise their discretion in delaying proceedings in order that colonial property might not be depreciated, and the claims of the Government and of junior creditors injured by the immediate disposal of such properties, the arrears of interest being paid up.

I have, &c.
(signed) *W. M. G. Colebrooke.*

The Most noble the Duke of Newcastle,
&c. &c. &c.

Sub-Enclosure 1, to Enclosure in No. 6.

(No. 35.)

Sir, Government House, St. Vincent, 22 March 1854.

1. I FEEL it a duty, in reference to the intended sale of estates here, in payment of the Hurricane Loan, to state my opinion that any unnecessary delay interposed by Her Majesty's Government or granted at the request of interested parties, will prove most injurious to the colony. I have already stated very fully my sentiments on the expediency of promoting the establishment of a resident proprietary body in this island, and have expressed my belief that the calling in of the Hurricane Loan would assist in effecting that desirable object.

2. I now wish to point out that in anticipation of the sale of many estates here, the nominal proprietors and other parties who had made advances for the cultivation of those properties, are now endeavouring to clear them of everything convertible into money, and are taking no steps whatever to weed and cultivate land, or put in plants for the crops of either 1855 or 1856.

3. The present period of the year, and the last two months, so important to the growth of young canes, may be regarded as utterly lost, to the estates in question. It now only remains that steps should be taken to prevent the season, from the end of September to the close of the year, being likewise allowed to elapse without any effort being made to maintain the cultivation of the estates,

If everything is to be reaped and nothing planted during the current year, the estates may be regarded as thrown out of cultivation.

Her Majesty's Government, consequently, will receive in such cases from a third to two-thirds less than would have been obtained by a speedier sale, whilst the colony will suffer from a diminution of imports, and revenue, as well as of general prosperity, owing to the amount of capital and labour in employment being likewise lessened.

4. I consider, therefore, that whatever weight might have been afforded by Her Majesty's Government to reasons militating against any sale of those estates, Her Majesty's Government having once announced their intention of calling in the Hurricane Loan, have no right to linger on the path which they have entered on; to do so is to encourage frauds, for I understand that much property is being illegally carried off, such as fixtures, and that even the doors and windows of houses on some estates are being made away with, to the great diminution of the value of those estates. I conceive also, that whether Her Majesty's Government regards as important or otherwise the amount likely to be realized by the sale of those estates, no government has a right to follow a course detrimental to the general property of this colony, and beneficial to nobody except parties who have no claim on the sympathy either of former proprietors or of Her Majesty's Government.

5. I therefore respectfully suggest, that Her Majesty's Government should take immediate steps to call in the Hurricane Loan, and sell those estates which do not pay up principal and interest before June; there should be no delay beyond what might be occasioned in giving the necessary publicity to the particulars of every intended sale, so as to ensure the highest prices being given. If however, a correspondence is to be entered into in London, with the various parties interested in devising plausible grounds of delay, I warn Her Majesty's Government that they will allow valuable time to be irretrievably wasted, to the great detriment both of this colony and the Imperial Treasury.

6. I take this opportunity of apprising your Excellency, in reply to your despatch of the 28th February, that there is no authentic information whatever in this island as to the amount due for principal or interest of the Hurricane Loan, or the estates owing it. It will, therefore, be requisite that full information on all those particulars should be sent to me.

I have, &c.
(signed) *Richard Graves Macdonnell,*
Lieut.-Governor.

To his Excellency
Colonel Sir W. M. G. Colebrooke, C. B.,
Governor-in-Chief.

Sub-Enclosure 2, to Enclosure in No. 6.

(No. 240.) Windward Islands, Barbadoes,
Sir, 28 March 1854.

I HAVE received your despatch, No. 35, of the 22d instant, in which, with reference to your previous despatch, No. 22, of the 16th February 1854, respecting the Exchequer loans granted to St. Vincent, you recommend that no delay should take place in bringing the estates to sale, which are liable for such claims, on the ground that the nominal proprietors and other parties who had made advances for their cultivation have suspended them, and are fraudulently disposing of the stock and materials required to render them productive.

In these circumstances it is greatly to be regretted that you should not be in possession of any account of the public claims on the estates in question; and till such a statement be received, I apprehend that no effective measures can be taken by the Commissioners-in-Aid for the execution of the instructions contained in the Secretary of State's despatch, "General," No. 3, of the 29th December last. Meanwhile I recommend that you should reassemble, and, if need be, reconstitute the Commissioners-in-Aid with a view to such inquiries as may be practicable in regard to the condition of the estates which are known to be indebted to the Crown, and especially where such frauds as you have described have been committed, in order that the necessary instructions may be given without delay by the Commissioners-in-Chief for the immediate disposal of such estates, pursuant to the Minute of the Lords of the Treasury of the 20th December last; and if in the meantime any steps can be legally taken for the protection of the properties so situated, I need hardly request that they may be adopted.

I have, &c.
(signed) *W. M. G. Colebrooke*,
Governor.

His Excellency the Lieutenant-Governor of St. Vincent.

— No. 7. —

No. 7.
H. Merivale, Esq. to Sir C. E. Trevelyan.
17 May 1854.

COPY of a LETTER from *H. Merivale*, Esq., to Sir *C. E. Trevelyan*, K.C.B.

Sir, Downing-street, 17 May 1854.

I AM directed by the Duke of Newcastle to transmit to you, for the consideration of the Lords Commissioners of the Treasury, copy of a despatch from the Governor-in-Chief of the Windward Islands, enclosing copy of a correspondence with the Lieutenant-governor of St. Vincent, on the subject of the loans granted to proprietors of estates in that island.

No. 7, 1 March 1854.

I am to observe, that in estimating the value which has been "taken away" from the planters by acts of the Government between 1831 and 1852, Lieutenant-governor Macdonnell appears to have forgotten what was given to the planters by the Government within the same period, in compensation for the slaves.

I am, &c.
(signed) *H. Merivale.*

Encl. 1, in No. 7.

Enclosure 1, in No. 7.

(No. 7.) Barbadoes, 1 March 1854.
My Lord Duke, (Received, 1 April 1854.)

REFERRING to your Grace's despatches, St. Vincent, No. 19,* 31st of October, and General,† No. 3, 24th December 1853, I enclose a copy of one which I have received from the Lieutenant-governor of St. Vincent, and of my reply, on the subject of the Treasury loans granted to proprietors of estates in that island.

* Page 1.
† Page 4.

No. 22, 16 Feb. 1854.
No. 222, 28 Feb. 1854.

Your Grace will perceive that the Lieutenant-governor is not in possession of the information which would enable him to carry out the instructions contained in the last of these despatches; that he is of opinion that the repayment of the loans ought to be enforced; and in order to relieve the colony from the injurious effect of irresponsible management, that an Encumbered Estate Act should be passed.

I have, &c.
(signed) *W. M. G. Colebrooke.*

His Grace the Duke of Newcastle, &c. &c. &c.

Sub-Enclosure 1, to Enclosure 1, in No. 7.

(No. 22.)

Sir, Government House, 16 February 1854.

1. I REGRET that I have had no leisure sooner to reply to your Excellency's despatch, enclosing the correspondence which has taken place between the West India Relief Commissioners, the Treasury, and the Secretary of State for the Colonies, on the subject of the loan granted for the relief of the island of St. Vincent.

2. I was desired in your Excellency's despatch of the 6th December to furnish a report as to the ability of the island to repay the amount due. I had prepared the outline of a report, with some statistical information on that subject, when I received through your Excellency the orders of the Secretary of State "to take immediate measures for the recovery of the sums due from St. Vincent."

3. I gather from this latter order that the previous inquiry ordered by Her Majesty's Government has been judged unnecessary, and I am prepared to carry out the instructions given me in the last named despatch whenever it shall be made possible for me to do so. It is quite clear, however, that I cannot at present move in the business, as I cannot reassemble the Commissioners-in-Aid for this island, there being no such persons here. The only remnant of that body is their former secretary, Mr. William Ross, who, however, cannot supply, from the records of the Old Commission, any data either as to the amount of money lent, to what estates, or the amount of interest since accrued and remaining unpaid.

4. The extract from the Treasury Minute of the 20th December, alludes to a statement prepared by the West India Relief Commissioners, in conformity with a Minute of the Board of the 29th November. The same extract likewise refers to a previous report of the Commissioners, dated the 6th October 1853, which statement and report appear both to have contained full information as to the amount of the loans advanced to each estate, and the sums received and remaining due from each of the islands.

5. It seems essential that the information contained in those documents should be officially transmitted to me, because I ought to know not merely the sums lent and the amount of principal and interest remaining due from the island generally, but more particularly from every estate in the island to which any money has been advanced from the English Treasury. I do not know how I or any Commissioners-in-Aid to be appointed for this colony, can otherwise obtain authentic information regarding properties affected by the instructions now transmitted to me.

6. In a word, it is quite clear that I can take no steps for the recovery of the sums due from St. Vincent till I know the amount of those sums, and by what estates they are owed, I therefore await further orders from Her Majesty's Government, both as to the reconstruction of a Board of Commissioners-in-Aid, and likewise further information as to the amounts, whether principal or interest, due to the British Treasury from each estate. It appears to me that a copy of the account current between each estate and the Commissioners in London ought to be transmitted to me.

7. As, however, the more recent and peremptory orders transmitted in your Excellency's despatch of the 31st ultimo, may not be regarded as entirely exonerating me in the interim from reporting concerning the ability of the island to repay the sums advanced to it, I shall offer a few remarks on that subject, and in doing so shall first notice what I consider the two strongest reasons likely to be urged against the expediency of forcing the sale of estates here at this moment.

8. I cannot think that the return of the amount and average price of sugar raised in St. Vincent between 1831 and 1852 (both years inclusive), bears out the Secretary of State's views in transmitting that return to the Treasury, so far as those views imply that the exports from St. Vincent during the above period have not very greatly varied either way, "or that its resources are not materially deficient as compared with what they have been."

9. To test the accuracy of such an inference, I propose taking the average amount of sugar produce raised during the first and last three years of the period from 1831 to 1852, referred to in the above return. Assuming the correctness of the figures given in that return, the average annual amount of sugar raised in St. Vincent was during the first three years 201,121 cwts., and during the last three only 159,853 cwts.

10. Not merely, however, was the quantity greater, but its money value was also higher, being 27*s.* against 24*s.* 8*d.* per cwt. in the latter period.

11. In other words, at the commencement of the above period of 20 years, the St. Vincent sugar crop realized each year 271,513*l.*, whereas at the close of that period it only realized 197,359*l.*, the difference of annual value being not less than 74,359*l.*, or considerably more than one-third of the value of the present crop, a sum quite sufficient in two years to pay off both principal and interest of the Hurricane Loan. The loss of that sum may, in fact, be regarded as the loss of nearly all those profits which could have enabled proprietors of estates, either encumbered by mortgages, or naturally ill adapted for sugar cultivation, to continue such cultivation through attornies whilst they themselves resided in Europe.

11. It is therefore probable that parties who borrowed money from Government in 1831 will urge in 1854 that Government has, by a series of measures since then, so diminished the value of their estates as to sweep away the profits with which they might fairly have expected to pay their debts; and that there is some hardship in the Government now asking for that which has been taken from them by acts of the Government. I think, however, such a line of argument admits of a conclusive answer; viz., that so far as concerns money lent to repair the damage done by a hurricane, such loan cannot have impaired the value of the property on which it was laid out; and if estates were then to be maintained in cultivation, it was necessary that such sums should have been expended on them, quite independent of any general policy of the home Government; and the money so borrowed for the improvement of estates is as much a just and proper debt, though owed to the British Government, as if it was due to a London firm.

12. A second important consideration for Her Majesty's Government is, the want of confidence said to be exhibited just now by capitalists, as to the safety of St. Vincent property, since the removal of all the troops from this island. Such fears may have no valid foundation, but their existence at present is indisputable, and would at this moment probably diminish the number of parties willing to bid for estates. It will be, therefore, for Her Majesty's Government to determine how far it may consist with justice to force the sales of estates in payment of a Government loan at a moment when an act of the Government has lowered the price which those estates might fetch. For many reasons it is to be regretted that estates destined to be sold were not sold previous to the withdrawal of the troops.

13. For my own part I shall greatly regret any delay which may postpone the release of property from the trammels which, generally speaking, hamper its capitalists throughout this island. Many seem to imagine that West Indian property of a few arable acres ought to accomplish more than is expected from much larger English, Canadian, or other property, and that although not leased out, and entailing a complicated manufacturing process in addition to agricultural labour, all especially calling for the presence of the party most interested, it nevertheless should maintain a race of absentee proprietors at home, who have either no capital to expend on their properties, or who leave attornies to do what no attornies can accomplish; viz., replace to the country and the people living on estates, a body of resident proprietors, looking at their own affairs through their own eyes. We want land-owners residing on their own land, and caring for their people, and if we had them, we could manage with few police and no soldiers.

14. I enclose in triplicate because I hope your Excellency will draw the attention of Her Majesty's Government to the document, a return of the names and produce of all the estates in this Government in 1850. There are now 87 producing sugar. I have marked with a cross thus (†) such estates as are entirely superintended by attornies of non-resident proprietors. A few estates, the proprietors of which reside in the island, but in circumstances too much involved to permit of their exercising any control over the property, I have marked thus (*). The remainder may be regarded as under the control of at least nominal lessees or proprietors residing ordinarily within the Government.

15. The result of that analysis shows, that of the above 87 sugar estates, there are from 60 to 64 superintended directly by attornies, and six where the control over the estates is vested in creditors, who permit the still legally nominal proprietor to reside on the estate, where he is far less master than a Galway landlord with a rent-roll of 1,000*l.* per annum mortgaged for 25,000*l.*

16. It is also remarkable, that in the above 70 estates are included the most valuable properties of the island; the remaining as the enclosed return, if analyzed, will show, not producing one-fifth of the entire sugar produce of the colony. The year to which the enclosed return relates was by no means the most productive year, the sugar crop not reaching 9,000 hogsheads, whereas the average crop may be regarded as 10,500. The proportion, however, of the produce of any given number of estates to the produce of the whole may be treated as a fixed ratio, though the total amount of produce varies each year.

17. When to the above is added, that the estates are superintended by only six attornies, and fifteen by only one, your Excellency will understand how little chance the bulk of property here has of being looked after with that watchful care, and that interest in the people settled on it, which alone can now make West India property a safe or productive investment, whilst advancing at the same time the general civilization, peace, and comfort of the community.

18. Nor is it merely from the absence of the proprietor that mischievous consequences ensue. On the contrary, very serious detriment is done to property by the mercantile pursuits in which many attornies are either openly or secretly engaged. A resident proprietor goes to the cheapest market to purchase stock, manures, lumber, estate stores, &c., &c. An attorney of half a dozen estates, who in his mercantile capacity imports the above, must wish to sell them as dear as he can, and the half dozen estates are always at hand as ready customers. Thus, however honest the attorney may be, his own interest urges him constantly to oppose the interest of the proprietor, and to sell as dear as possible, what a resident proprietor would endeavour to buy as cheap as possible.

19. Nevertheless,

19. Nevertheless, I am far from asserting that an attorney of an absentee proprietor, residing on an estate, may not occasionally be quite as useful a member of society here as the absentee, doing more justice to the estate than the latter could accomplish. Such cases, however, are exceptions, and leave unredeemed the attorney system now dominant here, and which is fast exhausting the country, and driving capital away from it.

20. Her Majesty's Government must expect to find in the attornies a body of men opposed to any change in a system on the continuation of which their own profits depend. No facilities will be afforded by them for the transfer of property to a resident proprietary, and in no case ought such parties to be chosen Commissioners-in-Aid, or be clothed with any power of selecting estates for sale, on account of the Hurricane Loan. I mention this especially, because I gather from the Treasury Minute of the 20th December, that instructions will be given to the Commissioners-in-Aid, to bring a few of the estates to sale. Her Majesty's Government ought to exercise great circumspection as to the hands in which such a power of selection may be deposited.

21. From what I have stated, it is unnecessary to add that I am an advocate of every measure calculated to restore to us a resident proprietary. Nothing else can save the West Indian property. It is, therefore, that I now urge on Her Majesty's Government (overlooking all minor considerations) the expediency of placing in the market all estates which do not forthwith pay up the sums advanced by the Government, principal and interest. It is the hope that such a measure will partially operate as an Act for facilitating the sale of encumbered estates, that I regard it as beneficial, and I mean to second its operation by proposing to the Legislature the enactment here of a law similar to that which has proved so beneficial to Ireland, a law facilitating in every rational way the transfer of encumbered property. Such a law would be welcomed by the country in general, though it is doubtful whether it could pass the Council as that body is at present constituted.

22. This island enjoys so many advantages in point of climate, and such comparative abundance of labour, though still positively insufficient in amount, that few places offer a better return for the investment of capital in the purchase of land. Every estate in working order, if situated on soil suited by nature for the growth of canes, and capable of making 100 or even 90 hogshead of sugar per annum, would enable a resident proprietor to live very comfortably. Probably few attorneys would make the same assertion; but such, nevertheless, is the opinion of others equally qualified to form a judgment on the matter.

23. In treating a subject so extensive in a limited space, I must necessarily advance several assertions unsupported by the facts and figures which at the proper time I shall be prepared to adduce. It is, however, a satisfaction to me to feel that my sentiments, on the necessity of doing something to restore resident proprietors, are shared by all except those whose interests must be and are opposed to any change in the present system. Their co-operation I cannot expect, and their opposition I am prepared to encounter. Her Majesty's Government may, therefore, rely on my carrying out to the utmost of my power any instructions calculated to release the soil from encumbrances, which prevent the development of the great agricultural resources of the island. In the meantime I await further instructions, and the more detailed information which I have requested in paragraphs 5 and 6 of this despatch.

I have, &c.

Sir W. M. G. Colebrooke, &c. &c. &c.

(signed) *Richard Graves M'Donnell.*

P.S.—Since writing the above the Treasurer has, by my desire, given notice in the House of Assembly of a Bill "to facilitate the transfer of Landed Property." The notice appears to have been well received.

R. G. M'D.

22 February 1854.

Sub-Enclosure 2 to Enclosure 1, in No. 7.

ACCOUNT of PRODUCE Manufactured on the several Estates in this Colony during the Crop of 1850.

	Sugar.			Rum.	Molasses.	Sugar.	Rum.	Molasses.	Arrowroot.	Cocoa.	Coffee.	Ginger.	Labourers.
CHARLOTTE PARISH:	*Hds.*	*Trs.*	*Bls.*	*Phs.*	*Phs.*	*Lbs.*	*Galls.*	*Galls.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*	*No.*
†Adelphi, Upper	80	–	–	26½	10	134,400	3,147	1,100	–	–	–	–	77
†Adelphi, New	50	–	3	–	–	89,694	500	1,240	–	–	–	–	54
†Bellevue	139	1	1	22	65	234,007	2,674	7,675	–	–	–	–	73
†Colonarie Vale	140	–	–	41	47	226,912	4,757	5,240	–	–	–	–	76
*Cane End	50	–	–	1	16	67,100	130	1,540	4,000	–	–	–	40
*Grand Sable	461	–	–	83	109	850,731	9,130	10,900	–	–	–	–	251
†Henry's Vale	61	–	2	16	16	104,100	1,920	1,760	–	–	–	–	65
†Iambon Vale	94	1	–	19	35	162,950	1,824	3,010	–	–	–	–	60
†Langley Park	185	–	–	22	48	298,418	2,640	5,640	–	–	–	–	140
*Lot Fourteen	108	–	–	33	–	190,600	3,900	–	–	–	–	–	130
†Mount Bentinck	222	–	–	70	82	488,992	8,535	9,165	–	–	–	–	97
†Mount William	120	–	1	10	44	202,172	1,191	4,340	–	–	–	–	68
†Mount Grennan	170	1	–	10	93	289,890	1,178	11,044	–	–	–	–	128
†Orange Hill	230	–	–	80	36	393,068	9,663	5,650	–	–	–	–	160
†Park Hill	92	–	–	30	23	150,287	3,540	2,700	–	–	–	–	80
Prospect, New	89	–	–	18	30	133,500	1,692	2,491	1,000	–	–	–	80
†Peruvian Vale	84	1	2	15	29	144,050	1,725	2,900	–	–	–	–	70
*Rabacca	188	–	–	35	38	328,328	4,130	3,800	–	–	–	–	120
†Sans Souci	168	–	3	26	85	278,718	2,851	9,986	–	–	–	–	110
†Spring	67	–	2	20½	9	100,750	2,450	1,000	–	–	–	–	87
†Three Rivers	78	–	–	4	17	107,628	475	1,815	–	300	–	–	60
Tourama	305	–	–	125	–	614,880	13,315	–	–	–	–	–	165
†Union	296	17	112	40	144	521,595	4,400	14,100	—				
†Waterloo	324	–	–	74	39	580,284	8,880	4,290	–	–	–	–	180
Not Sugar Estates:													
Hopewell	–	–	–	–	–	–	–	–	35,300	–	–	–	2
Mesopotamia	–	–	–	–	–	–	–	–	15,120	450	–	–	20
Freeland Cottage	–	–	–	–	–	–	–	–	6,840	–	–	–	10
Richland Park	–	–	–	–	–	–	–	–	6,480	—			
Nutmeg Grove	–	–	–	–	–	–	–	–	34,333	–	–	–	25
	3,801	21	126	821	1,015	6,693,054	94,647	111,386	103,073	750	–	–	2,428
ST. GEORGE'S PARISH:													
†Argyle	194	1	–	16	93	291,750	1,600	9,300	–	–	–	–	80
†Arnos Vale	50	–	–	14	5	66,000	1,610	500	–	–	–	–	95
Pellaire	41	1	3	3	8	57,800	348	848	–	–	–	–	63
†Belvidere	99	–	–	17	32	170,219	1,870	3,200	–	–	–	–	68
†Brighton	66	–	1	–	51	115,415	–	5,199	35,771	–	–	–	60
†Caruth	–	–	–	–	–	–	–	–	38,145	–	–	748	24
†Calder	185	–	–	35	74	296,000	3,500	6,660	–	–	–	–	122
†Calder Ridge	78	–	–	–	35	126,860	3,557	–	–	–	–	–	60
Cane Garden (out of cultivation)	20	–	–	–	11½	29,920	–	1,246	—				
Cane Hall	79	1	2	28	–	127,323	3,285	–	–	–	–	–	60
Carapan	135	–	2	20	63	236,495	2,200	6,724	—				
†Coubimarou	48	1	1	14	14	80,640	1,540	1,400	—				
†Diamond, Upper	31	27	–	–	–	86,476	–	–	–	–	–	–	36
†Diamond, Lower	96	102	107	43	–	325,309	5,114	–	–	–	–	–	199
Dauphine (out of cultivation)	–	–	–	–	–	3,000	—						
†Escape	73	1	2	15	–	133,800	1,852	2,400	—				
†Evesham Vale	91	–	–	–	51	156,400	–	5,194	—				
†Fairhall	86	–	6	4	39½	137,600	481	3,950	–	–	–	–	82
Fountain	122	–	3	10	52	216,536	1,200	5,200	–	–	–	–	70
†Golden Vale	20	1	6	–	11	38,654	1,126	–	–	–	–	–	25
Harmony Hall	–	–	–	–	–	–	–	–	14,558	–	–	–	23
†Liberty Lodge	46	–	86	16	–	90,000	1,760	–	–	–	–	–	60

	Sugar.			Rum.	Molasses.	Sugar.	Rum.	Molasses.	Arrowroot.	Cocoa.	Coffee.	Ginger.	Labourers.
St. George's Parish—*continued.*	*Hds.*	*Trs.*	*Bls.*	*Phs.*	*Phs.*	*Lbs.*	*Galls.*	*Galls.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*	*No.*
†Marriaqua	78	–	–	–	36	117,000	–	3,060	–	–	–	–	55
†Mount Pleasant	150	–	–	25	64	243,936	3,040	8,000	–	–	–	–	115
†Ratho Mill	69	1	–	20	15	126,502	2,300	1,664	–	–	–	–	70
*Richmond Hill	112	–	–	14	29	168,000	1,540	2,900	–	–	–	–	73
†Rivulet (*a*)	—												
†Redemption	62	1	–	8	8	93,400	880	872	–	–	–	–	63
*Revolution Hall	63	–	3	10½	32	113,090	1,286	3,600	–	–	–	–	50
Sion Hill	42	–	–	6	19	76,608	720	2,211	–	–	–	–	64
†Villa	61	34	2	6½	29	150,304	780	3,345	–	–	–	–	50
†Kingstown Park	75	–	–	–	22	112,500	880	2,200	–	–	–	–	60
Not Sugar Estates:													
Whim	–	–	–	–	–	–	–	–	16,920	–	–	–	6
Kilburnie Lodge	–	–	–	–	–	–	–	–	8,500	–	400	–	14
Mount Agoutie	–	–	–	–	–	–	–	–	8,000	—			
Joseph's Land	–	–	–	–	–	–	–	–	15,000	—			
Marriaqua, Bank of	–	–	–	–	–	–	–	–	1,984	—			
	2,272	171	224	325	814	3,987,537	42,572	79,673	138,878	–	400	748	1,747
St. Andrew's Parish:													
†Camden Park	90	1	1	18	60	157,800	2,270	7,166	–	–	–	–	85
†Cane Wood (*b*)	—												
Cane Grove	93	–	10	8	27	124,820	920	2,700	–	–	–	–	95
Clare Valley	52	–	–	20	10	89,023	2,371	1,020	—				
Carronside (not in cultivation)	–	–	–	–	–	–	–	–	8,500	—			
Hope	74	–	7	7	40	104,192	816	3,800	–	–	–	–	66
Montrose	70	–	17	14	29	128,557	1,425	2,694	–	–	–	–	86
†L'Ance Joyeaux	69	–	2	–	32	126,200	–	3,680	–	–	–	–	90
†Pembroke	88	5	–	–	50	166,656	–	5,600	–	–	–	–	108
†Penniston's	81	–	5	7	37	150,658	784	4,120	–	–	–	–	50
†Queensbury	79	1	–	14	26	148,836	1,663	2,860	10,329	–	–	–	94
*Retreat	16	–	–	–	5	20,616	–	500	–	–	–	–	20
Cropper's, George	–	–	–	–	–	–	–	–	1,200	—			
	712	7	42	88	316	1,217,358	10,249	34,140	20,029	–	–	–	694
St. David's Parish:													
Belmont and Rose Hall	135	–	10	11	25	236,200	1,380	2,500	–	–	–	–	109
†Golden Grove	57	–	3	10½	36	106,052	1,250	4,162	–	–	–	–	46
†Petit Bordel	18	5	168	13	–	77,076	1,452	–	–	–	–	–	64
†Sharpe's	14	2	106	–	18	52,456	–	1,940	–	–	–	–	60
†Richmond	226	–	–	7	109	397,788	732	10,452	–	–	–	–	140
†Richmond Vale	137	–	–	5	88	248,938	605	9,321	–	–	–	–	90
†Rose Bank	103	2	–	–	52	181,524	–	6,003	–	–	–	–	70
Troumaca	41	–	–	–	31	69,300	–	3,100	–	–	–	–	27
Palmyra	46	–	–	3	33	82,432	360	2,772	–	–	–	–	50
Westwood	27	8	2	–	17	46,500	–	2,040	–	–	–	–	30
†Wallibou	88	–	–	30	37	157,690	3,800	3,950	–	–	–	–	65
	892	17	289	79½	446	1,655,956	9,579	46,240	–	–	–	–	751

(*a*) No returns sent in. (*b*) Return included in that of Camden Park. (*continued*)

———	Sugar.			Rum.	Molasses.	Sugar.	Rum.	Molasses.	Arrowroot.	Cotton.	Coffee.	Ginger.	Labourers.
ST. PATRICK'S PARISH:	*Hds.*	*Trs.*	*Bls.*	*Phs.*	*Phs.*	*Lbs.*	*Galls.*	*Galls.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*	*No.*
Belleisle - - -	–	–	18	1	–	4,121	120	- -	2,786	–	–	–	20
†Cumberland - -	89	–	–	10	45	167,656	1,181	4,938	- -	–	–	–	80
Kearton's - - -	43	–	1	2½	14⅓	68,800	300	1,620	24,000	–	–	–	80
†L'Ance Mahaut -	16	–	–	–	8	25,080	–	896	- -	–	–	–	14
Mount Hope (out of cultivation.)													
Mount Wynne - -	39	–	–	13	–	65,025	1,536	- -	- -	–	–	–	60
†Peter's Hope - -	101½	–	–	13	43	163,019	1,542	4,600	8,449	–	–	–	78
†Reversion - -	3	–	–	–	1	4,500	1	110	17,440	—			
†Rutland Vale - -	219	–	–	25	97	376,277	3,060	11,091	- -	–	–	–	98
Spring - - -	10	–	–	–	5	14,000	70	557	- -	–	–	–	8
†Wallilabou - -	47	1	–	10	9	95,958	1,333	981	- -	–	–	–	77
Palmiste Park - -	–	–	–	–	–	- -	–	- -	3,515	–	–	–	27
Belleisle (New Works)	–	–	–	–	–	- -	–	- -	9,720	–	–	–	8
	567½	1	19	74⅓	222½	984,436	9,343	24,793	65,910	–	–	–	550

GRENADINES.	Sugar.			Rum.	Molasses.	Sugar.	Rum.	Molasses.	Arrowroot.	Cotton.	Coffee.	Ginger.	Labourers.
BEQUIA:	*Hds.*	*Trs.*	*Bls.*	*Phs.*	*Phs.*	*Lbs.*	*Galls.*	*Galls.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*	*No.*
Industry - -	30	–	7	7	12	51,000	876	1,290	—				
Paget Farm -	19	3	32	2	8	35,860	223	890	- -	–	–	–	36
†Spring - -	54	–	2	13	28	92,480	1,508	3,170	- -	–	–	–	46
†Union - -	–	34	4	8	11	38,848	992	1,248	—				
†Grand Bay, Mustique	19	–	9	2¼	16	34,311	261	1,652	- -	–	–	–	50
Grand Bay and Friendship, Canouan -	–	–	–	–	–	- -	–	- -	126	1,592	—		
	122	27	54	32¼	75	252,499	3,860	8,250	126	1,592	–	–	132

(signed) *G. C. Grant*, Treasurer.

TOTAL AMOUNT of PRODUCE Manufactured on the several Estates in this Colony during the Crop of 1850.

PARISHES and ISLANDS.	Sugar.				Rum.		Molasses.		Arrowroot.	Cocoa.	Coffee.	Cotton.	Labourers.
	Hhds.	*Trs.*	*Bls.*	*Lbs.*	*Phs.*	*Galls.*	*Phs.*	*Galls.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*	*No.*
Charlotte Parish -	3,801	21	126	6,693,054	821	94,617	1,015	111,386	103,073	750	–	–	2,428
St. George's -	2,272	171	224	3,987,537	325	12,572	814	79,678	138,878	–	400	–	1,747
St. Andrew's -	712	7	42	1,217,358	88	10,249	316	34,140	20,029	–	–	–	694
St. Patrick's -	567½	1	19	984,436	74½	9,143	222½	24,793	65,910	–	–	–	550
St. David's -	892	17	289	1,655,956	79½	9,579	440	46,240	- -	–	–	–	751
Grenadines -	122	37	51	252,499	32¼	3,860	75	8,250	126	–	–	1,592	132
	8,366½	254	754	14,790,840	1,420¼	170,050	2,888½	304,482	328,016	750	400	1,592	6,202

Enclosure 2, in No. 7.

(No. 223.)

Sir, Barbadoes, 28 February 1854.

I HAVE received your despatch, No. 22, of the 16th instant, in which you report, with reference to the Secretary of State's instructions, forwarded with my despatch, No. 175, of the 6th December last, that you are unable to carry them out until you are furnished with further information, which, on application to the Secretary of the old Loan Commissioners, it appears he is not in possession of, as to the amount of the loans to the different estates and of interest since due and remaining unpaid.

As a statement of those particulars as to the loans in Barbadoes is in possession of the old Commission, it must have been originally furnished also for St. Vincent, and it will be advisable to obtain from Mr. Ross, the Secretary of the Commission, an official explanation on the subject, as the Commission could not have acted without it, and the Lords of the Treasury must have been under a full impression that these details had already been furnished.

In reference to your observations as to the extent to which property in St. Vincent's is encumbered, and the effects of irresponsible agency in its management, they are generally applicable throughout the West Indies, and the remedy for the evils which are thus produced in St. Vincent, will be in facilitating the transfer of property to solvent proprietors. One peculiarity in the condition of West Indian proprietors has been where assistance has been required for the cultivation of estates, that it has been obtainable only from merchants who have sought commercial advantages in the advances they have made, and whether banking accommodation can be afforded, is a question which has frequently been mooted in reference to the long period which elapses in realising the returns on sugar crops. That the attornies of estates are themselves interested as merchants in the supply of the estates under their management, is in itself a serious aggravation of the defects of the system; and whatever may be done to facilitate the emancipation of West Indian property from so serious a drawback, will at the same time contribute to the well-being and contentment of the labouring class, and to the good government of the island. On these grounds I consider that an Encumbered Estate Act would be likely to prove beneficial in its application to these colonies; but as the question is one of general interest, I am of opinion that the measure should be sanctioned by Parliament, and made conditionally dependent on its acceptance by the several colonies.

I have, &c.

Lieutenant-Governor MacDonnell, &c. &c. &c. (signed) *W. M. G. Colebrooke.*

P. S.—Since writing this despatch I have been informed by the Secretary of the old Commission that he obtained the return of the Barbadoes loans from the Secretary to the Loan Commissioners in London, to whom the Secretary of the Commission in St. Vincent might also have applied.

W. M. G. C.

— No. 8. —

No. 8.
Sir C. E. Trevelyan to H. Merivale, Esq.
31 May 1854.

COPY of a LETTER from Sir *C. E. Trevelyan* to *H. Merivale*, Esq.

Sir, Treasury Chambers, 31 May 1854.

I AM commanded by the Lords Commissioners of Her Majesty's Treasury to transmit to you, for the information of the Duke of Newcastle, two Reports from the West India Relief Commissioners, dated respectively the 17th and 29th instant, together with the Schedule annexed to that of the 29th instant on the subject of loans for estates in St. Vincent; and I am to state, that it appears to my Lords that no other course could properly have been taken with a view to the recovery of any of the loans; and they trust that the estimates of the present value of the several estates, and other information required by the West India Relief Commissioners, will be forwarded as expeditiously as possible.

His Grace will observe, that the Commissioners propose by the next mail to send directions for bringing to sale five of the estates in St. Vincent, for which no terms of compromise have been proposed.

I am, &c.
(signed) *C. E. Trevelyan.*

P. S.—It has since been ascertained that the instructions with respect to the sales of four of the estates named by the Commissioners will not be ready for transmission to the colony until the 1st of July.

Encl. 1, in No. 8.

Enclosure 1, in No. 8.

Public Works Loan Office, South Sea House,
London, 17 May 1854.

Sir,

1. By direction of the West Indian Islands Relief Commissioners, I have to acknowledge the receipt of copies of the Lieutenant-governor of St. Vincent's letter of the 22d March last, addressed to Colonel Sir W. G. Colebrooke, Governor-in-Chief; also of his Excellency's reply thereto of the 28th March, and of a letter of same date to his Grace the Duke of Newcastle, which, with a letter of the 9th instant from the Colonial Department, have been referred to this Board for the consideration of the Commissioners.

2. By the Lieutenant-governor of St. Vincent's letter of the 22d March, it appears that, in reference to the intended sale of estates in that island, in the event of continued non-payment of the Crown claims in respect of the Hurricane Loans, any unnecessary delay interposed by Her Majesty's Government, or granted at the request of interested parties, will prove most injurious to the colony.

3. That in anticipation of sales of the estates, the owners are clearing the properties, and not cultivating.

4. That great mischiefs are thence arising, whence it is suggested that immediate steps be taken to sell those estates which do not pay up principal and interest before June.

5. It appears also that there is in the island no authentic information as to the loans, or estates owing them.

6. As to the absence of information, I am instructed to inform you that the required list of loans and estates, with other particulars, was transmitted with a letter which, by direction of the Commissioners, I wrote to St. Vincent in reply to a letter of 26th March, received by this Board from Mr. Creaser, Private Secretary to the Lieutenant-governor in that island, in which letter also I applied for an estimate of the probable value of each mortgaged estate, if offered for sale by auction in the colony, not in any considerable number at one time, but gradually, as might be deemed expedient.

7. Respecting the Lieutenant-governor's description of the conduct of owners in anticipation of the sale of estates and the mischiefs thence arising, it is unfortunate that the properties whereon such conduct has been manifested have not been specially named, inasmuch as the allegation so generally made does not enable this Board to make any selection of the estates for immediate sale, in order to put a stop to such proceedings; and it is manifestly impossible, even if it were deemed expedient so to do (as suggested in paragraph 5 of the Lieutenant-governor's letter), that immediate steps be taken to sell those estates which do not pay up principal and interest before June.

8. By a letter from this Board, addressed on the 20th January last to the proprietor of each estate in St. Vincent, on which there remained any claim in respect of a loan advanced by the Commissioners, the particulars of principal and interest due in reference to that loan were stated, and the proprietor of the estate was informed that the Commissioners required an immediate arrangement to be made for payment of the principal and interest secured by the Crown mortgage, and that if such arrangement were not made, the mortgaged property would be sold. Each proprietor was also informed, that if desirous of making any proposal on the subject, it should be communicated to me by a specified date.

9. Consequent upon those letters, many urgent applications were made to Her Majesty's Government and this Board, describing sufferings of distress and inability to make immediate payment, and asking time for consultation with friends, without which it was stated that the arrangements necessary for enabling the proprietors to make the payments demanded could not be possible.

10. Time for such arrangements has consequently been given with the concurrence of Her Majesty's Government, but always under a distinct pledge that in the meanwhile the properties mortgaged should not be allowed to be depreciated.

11. The postponement so permitted has in some instances expired, and several of the borrowers have offered evidence to show that the present value of the properties mortgaged is far below the amount of principal and interest due on the loans, and have offered the payment of various sums for compounding the Crown claims.

12. This Board, deeming it necessary to have further evidence as to the value of the properties respectively, have hitherto abstainted from recommending Her Majesty's Government to authorise the acceptance of any such offer.

13. The only estates mentioned in the list before referred to, with respect to which no application for time or other communication, in answer to this Board's letter of the 20th January last, has been received, are—

The Grove, Layou Hill, Mount Hope, Spring, Westwood;

and

and with reference to those estates, the Commissioners see no reason to delay the proceedings necessary for effecting an immediate sale; and this Board will be prepared by the first packet in the ensuing month to send to St. Vincent the necessary authority and instructions as to proceeding to recover the loans charged on those estates respectively.

I have, &c.

James Wilson, Esq., M. P., &c. &c. &c.

(signed) *J. S. Brickwood*, Secretary.

Enclosure 2, in No. 8.

Encl. 2, in No. 8.

Public Works Loan Office, South Sea House,
London, 29 May 1854.

Sir,

I HAVE to acknowledge the receipt of the undermentioned documents; namely,

Copy of a letter dated the 16th of February 1854, from R. G. Macdonnell, Esq., Lieutenant-governor of St. Vincent, addressed to Colonel Sir W. G. Colebrooke, Governor-in-Chief.

Copy of a letter of the 28th of February, from his Excellency the Governor-in-Chief to his Excellency the Lieutenant-governor, in reply.

Letter of the 1st of March, from his Excellency Sir W. M. G. Colebrooke to his Grace the Duke of Newcastle, referring to the absence of required information; also, to the opinion that repayment of the loans ought to be enforced, and that an Encumbered Estate Act ought to be passed.

Letter of the 17th instant, from Mr. Merivale to Sir Charles E. Trevelyan, transmitting the letters for the consideration of the Lords Commissioners of Her Majesty's Treasury.

These documents having been referred to the West Indian Islands Relief Commissioners, I have the honour to submit the following observations.

These letters bear dates previous to those reported on by this Board's letter to you of the 17th instant; but as the same circumstances, or nearly so, are referred to in both sets of documents, any lengthened remarks do not appear requisite on this occasion.

The Lieutenant-governor's letter of the 16th of February refers to correspondence between the Treasury, the Secretary of State for the Colonies, and this Board, respecting the Hurricane Loans advanced for St. Vincent, acknowledges the receipt of orders to take immediate measures for recovery of the sums due; states that he is ready to act thereon when able, but that there are no Commissioners-in-Aid in the island, nor any accounts showing the estates on which loans have been advanced, the amounts thereof, and the interest and principal due thereon.

In this Board's letter to you, of the 17th instant, it was stated that the required list of loans and estates, with other particulars, had been transmitted in a letter to Mr. Creaser, Private Secretary to the Lieutenant-governor of St. Vincent.

That letter, dated the 15th instant, was forwarded by the packet on the 17th of this month. With it was likewise transmitted a series of six Acts of Parliament in relation to these loans, with special reference to the section authorising (in the several islands named) the appointment of Commissioners-in-Aid of this Board; also, copy of the original letter from this Board to the Commissioners-in-Aid in St. Vincent, offering suggestions as to their appointment and early proceedings.

By these means the inconvenience pointed out by the Lieutenant-governor, as arising from the absence of information, will have been remedied.

In order to ensure the earliest possession of full information as to the estates on which loans have been advanced, and the interest and principal due thereon, a duplicate of the account forwarded to Mr. Creaser is now transmitted. This account would have been sooner forwarded if, as suggested in the postscript of Sir W. Colebrooke's letter of the 28th of February to the Lieutenant-governor, it had been applied for.

With reference to the Lieutenant-governor's observations, in his letter of the 16th of February, on the present depreciation of property in the island, as compared with its state in 1831 (the year previous to the hurricane leading to the advance of loans for the relief of the distress thereby occasioned), it is important to bear in mind that the slaves, and consequently the compensation-money granted on their emancipation, were included in the securities to this Board for repayment of the loans; and the compensation-money was, by the resolution of Her Majesty's Government, afterwards relinquished in favour of the borrowers; and this is, in effect, adverted to in the pencil memorandum in the margin of that letter.

Only one other subject commented on in the letters herewith returned appears now to claim attention from this Board, namely, the proposal by the Lieutenant-governor, and the approval thereof by the Governor-in-Chief, that an Encumbered Estate Act in the island ought to be passed, which proposal, if relating to the estates charged with the loans advanced by this Board, the Commissioners doubt the expediency or necessity of such a measure.

With reference to the Treasury Minute of 20th December last, every borrower has been called upon to pay in full the principal and interest due on the loan, or to propose for the consideration of this Board an arrangement for the payment thereof.

In respect of every loan for St. Vincent, with the exception of five, as stated in my report of the 17th instant, a proposal to that effect, or a written application for time to make such arrangement, has been made, and is now under consideration.

If, in default of payment, or satisfactory arrangement, it be found requisite in one or more instances to enforce the securities by sale of the properties mortgaged, every determination to that effect must be made by this Board; the power of selection cannot be delegated.

For the sale of estates, in the event of such resolution being adopted, the powers given by the Acts of Parliament (of which prints were sent with my letter to Mr. Creaser of the 15th instant) are sufficient in every respect, as the experience of several years in relation to sales on the non-payment of loans in Jamaica has satisfactorily proved; and in respect of such sales in St. Vincent, if determined on, full instructions to the Commissioners-in-Aid with reference to the special sections of those Acts, would be given in every case by this Board.

I have, &c.

James Wilson, Esq., M.P.,
&c. &c. &c.

(signed) *J. S. Brickwood*, Secretary.

Sub-Enclosure to Enclosure 2, in No. 8.

STATEMENT in reference to St. Vincent, showing the amounts advanced by the Commissioners appointed by the Act 2 & 3 Will. 4, c. 125, and subsequent Acts for the issue of certain Exchequer Bills to persons connected with West Indian Islands, the dates of advances, the principal unpaid, and the dates from which 4 per cent. is payable on the unpaid portion of the Loans.

ESTATE.	BORROWERS.	Dates of Advances.	Amounts Advanced.	Principal Unpaid.	Dates from which 4 per cent. Interest is payable on the Unpaid Portion of the Loans.
			£.	£. s. d.	
Argyle, Calder and Calder Ridge (a moiety of).	Trustees, A. Macdonald and wife.	21 Dec. 1833	2,800	2,240 – –	22 Nov. 1846
Argyle, Calder and Calder Ridge (a moiety of).	Trustees, Prince and Princess Polignac.	21 Dec. 1833	2,800	2,240 – –	22 Nov. 1846
Belle Vue - -	A. Cruikshank and others.	22 Sept. 1833	1,700	1,700 – –	22 Sept. 1844
Belmont - -	A. Cruikshank	12 Mar. 1834	2,000	2,000 – –	12 Mar. 1845
Cheltenham - -	C. Punnett - -	27 July 1833	550	550 – –	27 July 1842
Carapan - -	A. and W. Alves -	30 July 1833	1,600	800 – –	30 July 1844
Dalvey and Richmond.	P. Cruikshank -	19 Mar. 1833	8,150	8,150 – –	19 Mar. 1845
Fancy - - -	Sir W. J. Struth -	2 Jan. 1833	2,100	2,100 – –	2 Jan. 1845
Fancy - - -	Sir W. J. Struth -	8 Mar. 1833	2,800	2,800 – –	8 Mar. 1844
Golden Grove -	C. Punnett - -	27 July 1833	2,000	1,720 17 2	27 July 1842
Grove - - -	J. Hill and wife -	13 Jan. 1835	800	800 – –	13 Jan. 1845
Langley Park -	A. Cruikshank -	25 Jan. 1833	1,850	1,850 – –	25 Jan. 1846
Langley Park -	A. Cruikshank -	4 Mar. 1833	4,000	4,000 – –	4 Mar. 1846
Lot 14 - - -	A. Cumming -	2 July 1833	9,800	9,800 – –	2 July 1845
Layou Hill - -	R. Cowdrey -	4 April 1834	600	600 – –	4 April 1847
Mount Alexander, Sharpes and Petit Bordel.	M. White - -	18 June 1834	3,600	3,600 – –	18 June 1844
Mount Hope - -	Mc Duff Fyfe -	7 July 1836	500	500 – –	7 July 1844
Orange Hill (one moiety).	J. Sutherland -	8 Nov. 1833	4,950	4,950 – 6	8 Nov. 1848 (less 52 *l.* paid on account.)
Orange Hill (one moiety).	J. Patterson -	25 July 1834	4,950	4,950 – –	25 July 1848 (less 52 *l.* paid on account.)
Peruvian Vale and Henry's Vale.	E. Whitfield and others.	7 Jan. 1834	2,000	1,400 – –	7 Jan. 1847
Rabaca - - -	A. Cumming -	18 Feb. 1835	7,300	7,300 – –	18 Feb. 1846
Spring - - -	J. Hill and wife -	15 Sept. 1840	600	600 – –	15 Sept. 1840
Three Rivers - -	H. Hawkshaw -	4 June 1833	2,400	2,400 – –	4 June 1845
Tourama - -	Sir A. Mackenzie, Bart.	24 July 1834	9,200	7,360 – –	24 July 1846
Westwood - -	Dr. T. Coull -	10 April 1833	1,000	1,000 – –	10 April 1842
Waterloo - -	J. Sutherland -	8 Nov. 1833	12,000	12,000 – –	8 Nov. 1851 (less 40 *l.* paid on account.)

Public Works Loan Office, South Sea House,
London, 15 May 1854.

(signed) *G. Carter*,
Accountant.

— No. 9.—

(No. 37.)

No. 9.
The Duke of Newcastle to Sir W. M. G. Colebrooke.
5 June 1854.
31 May 1854.

Copy of a DESPATCH from the Duke of *Newcastle* to Sir *W. M. G. Colebrooke.*

Sir, Downing-street, 5 June 1854.

I transmit to you, for your information and guidance, a copy of a letter from the Lords Commissioners of the Treasury, with copies of two letters from the West India Relief Commissioners, respecting the recovery of the loans advanced to owners of estates in St. Vincent.

I have, &c.

(signed) *Newcastle.*

— No. 10. —

No. 10.
Sir C. E. Trevelyan to H. Merivale, Esq.
2 June 1854.

Copy of a LETTER from Sir *C. E. Trevelyan* to *H. Merivale,* Esq.

Sir, Treasury Chambers, 2 June 1854.

With reference to your letter of the 9th February,* enclosing copy of a despatch from the Governor of Dominica on the subject of the ability of that island to repay the loan from the Imperial Treasury, I am commanded by the Lords Commissioners of Her Majesty's Treasury to transmit to you copy of a Report from the West India Relief Commissioners, dated the 17th ultimo, on the same subject; and to state, for the information of the Duke of Newcastle, that it appears to my Lords to be very desirable that measures should, if possible, be taken for paying off the principal and interest of the Public Service Loan to Dominica, within the period of 25 years from the date of the loan; and for this purpose to require the payment therof by seven annual instalments of 1,130*l.* 6*s.* 7*d.* each; the first payment to be made on the 29th of March 1855.

With respect to the loans to individuals, it appears to my Lords that the remarks of Lieutenant-governor Blackall do not apply to the Commissioners in this country, by whom the loans were made, and who appear to have taken every precaution, as far as they had the means of doing so, to ensure the due application of the money and the repayment thereof.

Their Lordships agree with the Commissioners as to the expediency of obtaining, as early as possible, an estimate of the probable value of each property, if offered for sale by auction in the colony, to enable them to determine upon the measures to be taken for putting up to sale, or otherwise proceeding for the recovery of the sums due upon each estate; and my Lords request you will submit to the Duke of Newcastle the expediency of instructing the Governor to cause this information to be obtained and transmitted without delay.

Their Lordships also concur with the Commissioners as to the expediency of proceeding with the sale of one or two estates in the island; and his Grace will observe that instructions have already been given for this purpose in regard to two estates.

I have, &c.

(signed) *C. E. Trevelyan.*

* Page 8.

Enclosure in No. 10.

Encl. in No. 10.

Public Works Loan Office, South Sea House,

Sir, London, 17 May 1854.

I am directed by the West Indian Islands Relief Commissioners to offer the following observations with reference to the despatch of 27th December 1853, from Major Blackall, Lieutenant-governor of Dominica, addressed to the Governor-in-Chief of the Leeward Islands, and with his Excellency's letter of 10th January 1854, to his Grace the Duke of Newcastle, forwarded on 20th February by the Lords Commissioners of Her Majesty's Treasury to this Board for their information and consideration.

The despatch relates to the loan of 10,000*l.* advanced by the West Indian Islands Relief Commissioners, under the provisions of the Act 5 & 6 Will. 4, c. 51, for the public service of Dominica, and to the loans advanced to individuals on the security of their estates respectively in that island.

First, as to the Public Service Loan.—This loan was advanced on 29th March 1836, Under the special provisions of the above-recited Act, interest at 4 per cent. being payable at the end of the third year, and thenceforth annually; and the whole of the principal on 29th March 1846.

During the first 11 years this interest was discharged, and several sums amounting to 4,595*l.* 6*s.* 10*d.* were paid in reduction of the principal.

After that time the payments ceased, and the balance of principle due and in arrear since 29th March 1846, is 5,404*l.* 13*s.* 2*d.*, with an arrear of interest accrued since the 9th November 1847, up to the present time, amounting to about 1,200*l.*

Payment of the principal and interest due from time to time has been annually demanded by letters from this Board addressed to the President, Council, and Assembly of the island, but no reply has been received thereto.

Paragraph 3 of the despatch states that there can be no doubt that the island could bear the additional taxation which would be required to pay this debt in 10 annual instalments.

The Lieutenant-governor does not however advise an immediate demand for all interest which has accrued, amounting, as before stated, to about 1,200*l.*, but proposes to incorporate it into the principal sum of 5,404*l.* 13*s.* 2*d.*, and with the interest to accrue during the next 10 years, to make the amount repayable in 10 annual instalments, commencing 1st January 1855.

This date is proposed for commencing payment, because no provision having hitherto been made for this purpose, it could only produce inconvenience and disappointment to name an earlier day, as the taxation must to a certain extent be prospective. And with reference to this statement, and to the fact that there are now no available assets in the hands of the Treasurer of the island, some further concession as to time appears to be requisite.

Should Her Majesty's Government see fit to grant the extension of time proposed by Major Blackall, the sum requisite to be paid annually for 10 years commencing on the 1st January 1855, in order to discharge the present balance of 5,404*l.* 13*s.* 2*d.* with interest accrued and to accrue at 4 per cent per annum, would be 830*l.* 4*s.*

If instead of 10 years commencing the 1st January 1855, a period be allowed to the end of 25 years from the date of the loan (as limited by the Acts of Parliament in reference to each individual loan), namely, in respect of the Public Service Loan, to 1861, the interest and principal would become payable by seven annual sums of 1,130*l.* 6*s.* 7*d.*, the first payment to be made on 29th March 1855.

Secondly, as to the individual loans.—It appears by paragraph 10, that the Lieutenant-governor believes the cause of these loans not being repaid, arose as much from the careless manner in which that money was advanced, as from any desire of evasion on the part of *bonâ fide* borrowers, &c. Such an allegation, if referring to this Board, is entirely without foundation.

The sum at the disposal of this Board for distribution in Dominica, was by the Act 5 & 6 Will. 4, c. 51, originally limited to 80,000*l.* The applications were for a much larger amount. The utmost diligence and caution were exercised by this Board in apportioning these loans.

Searching queries were sent in respect of every application. Full and distinct answers were given thereto, verified by oath. The total number of cases in which loans were granted was 64. In 54 of these, in addition to the above precautions, the written opinions of the Commissioners-in-Aid in the island, as to the value of each property, and the sufficiency of the security for the repayment of the loan, were given.

In the remaining ten cases this latter step was not considered necessary, inasmuch as the owners of the estates applied themselves in person to this Board in London, and gave in their written answers to the queries, verified on oath. In all cases the evidence thus obtained was fully considered, and reference being also had to the special objects defined by the Act of Parliament, the loans were very carefully apportioned, and were in most instances far below the amount applied for.

It is true that complaints were afterwards made in the island, and it is believed with justice, against the Commissioners-in-Aid for partiality and favouritism in recommending estates for the grant of loans; but as in the appointment of the Commissioners this Board had been careful to select two of the highest responsible officers of the Crown in the island —the Governor and the Attorney-general, and appointed as their colleagues two of the residents, who were represented to be of considerable standing, of the greatest respectability, and possessing great local information; this Board cannot for a moment be held responsible for misconduct which they had thus taken every possible precaution to prevent.

The individual loans, as before stated, were 64 in number, amounting in all to 66,950*l.*

The mortgage taken in each case, in conformity with the Act of Parliament, required that the first payment of interest be made at the end of the third year, and annually afterwards, and the principal at the end of the tenth year.

In two cases only an extension of the time for payment, as authorised by a subsequent Act, had been applied for, but not in any case granted, because the borrowers did not fulfil the requisite conditions thereof.

Previous to every payment of interest or principal accruing due, a statement of the

amount

amount thereof, with a demand for payment, has been sent by this Board to each borrower, and also to his agent when known.

Interest during the first seven years was paid only in 20 instances, in one instance only during 13 years, and that was by Mrs. Grano, a poor black widow. No payment has been made in any case on account of principal.

The Lieutenant-governor has (in paragraph 13) described the present proprietors of estates, on which loans were granted, as divided into three classes, viz:

1st. Those who are still in possession, but have abandoned cultivation.
2d. Those still in possession and endeavouring to continue cultivation.
3d. Those who have since become proprietors of estates and have thus continued a cultivation likely to be abandoned.

It is stated that the first would offer no opposition to a sale, which however, would probably not realize 6*d.* in the pound.

That the second class would offer little opposition to a sale, but the sum realised would be far short of what is due, and the land would pass into the hands of persons equally poor.

That the third class are those who have purchased and whose properties would probably realize the amount of debt upon them; but grounds are alleged on which Major Blackall considers it would be inexpedient to enforce the claims in those cases.

Those observations have reference to the proprietors as so divided into three classes; but in the list appended to the despatch the properties are divided into only two classes, namely, those which are estimated as equal to the loan, and those not so.

For remedying that discrepancy, and for guidance in any further steps for the adjustment of these loans, it appears to this Board very desirable that an estimate should be given as to the value of each property if offered for sale by auction in the colony, it being understood that all should not be put up at once, but gradually, one or two at a time, and proceeding upon that principle in the event of no offer being made to compound the loans, or to make some satisfactory arrangement in respect thereof.

In the mean time, giving due attention to Major Blackall's opinion (in paragraph 14) of the probable consequences of moving in this matter at present without great caution, but admitting "that, in strict justice, all arrears of interest might be at once enforced, and an annual instalment be demanded for the future, until the total amount be liquidated."

In respect to the first class, it appears to this Board that no mischief, either public or individual, can be likely to result if some of the abandoned estates be selected for an early sale by auction.

As to the second class, proceedings might be stayed for a time.

As to the third class, it is to be observed that the persons comparatively affluent, who have purchased their estates, must have made such purchases subject to the Crown mortgages known to exist thereon.

And as the only means of convincing them and others that the Government is in earnest in requiring payment in respect of these loans and interest, it seemed desirable to proceed with the sale of at least one or two of these estates, in accordance with the Treasury Minute of the 20th of December last, and instructions were sent, on the 1st of March last, with reference to two of the properties, namely, Geneva Estate and Hampstead Estate.

I have, &c.
(signed) *J. S. Brickwood.*

James Wilson, Esq., M. P.,
&c. &c. &c.

— No. 11.—

No. 11.
The Duke of Newcastle to Governor-General Mackintosh.
12 June 1854.

(No. 42.)

Copy of a DESPATCH from the Duke of *Newcastle* to Governor-General *Mackintosh.*

Sir, Downing-street, 12 June 1854.

With reference to your despatch No. 2,* Dominica, of the 10th of January last, forwarding the report of the Lieutenant-governor of that island on its capability to repay the Hurricane Loan, I transmit to you the copy of a letter from the Treasury, with a report of the West India Relief Commissioners respecting the measures necessary to be taken for the repayment of that loan. I have to instruct you to cause the information required by the Loan Commissioners on this subject to be sent home without delay.

* Page 8.

2 June 1854.

I am, &c.
(signed) *Newcastle.*

— No. 12. —

No. 12.
F. Peel, Esq., M.P., to Sir C. E. Trevelyan, K.C.B.
17 June 1854.

COPY of a LETTER from *F. Peel*, Esq., M.P., to Sir *C. E. Trevelyan*, K.C.B.

Sir, Downing-street, 17 June 1854.

I AM directed by the Secretary of State to transmit to you, for the consideration and decision of the Lords Commissioners of the Treasury, the copy of a despatch from the Governor-in-Chief of the Leeward Islands, with a despatch from the Lieutenant-governor of Dominica, enclosing a resolution of the Council and Assembly of that island, suggesting certain modifications for the liquidation of so much of the Hurricane Loan advances as was taken on the public account.

No. 14, 8 May 1854.

I am, &c.
(signed) *F. Peel.*

Encl. in No. 12.

Enclosure in No. 12.

Leeward Islands, Antigua,
(No. 14.) 8 May 1854.
(Received, 5 June 1854.)

My Lord Duke, (Answered, 14 October 1854, No. 7, page 38.)

I HAVE the honour to transmit a copy of a despatch which I have received from the Lieutenant-governor of Dominica, enclosing a resolution of a joint committee of the Council and Assembly of that island, suggesting certain modified terms for the liquidation of so much of the Hurricane Loan advances as was taken on the public account.

I should myself be disposed to place much reliance on the general soundness of any opinion as to the real capabilities of the resources of the island which Major Blackall shall have pronounced.

I have, &c.
(signed) *R. J. Mackintosh.*

His Grace the Duke of Newcastle,
&c. &c. &c.

Sub-Enclosure 1, to Enclosure in No. 12.

(No. 30.) Roseau, Government House,
27 April 1854.

Sir,

I HAVE the honour to forward to your Excellency copy of a Report from a joint committee of the Legislature here, consequent upon my appeal to those bodies to make provision for the repayment of the loan due by this colony.

I trust the arrangement proposed may be acceded to by the Lords Commissioners of Her Majesty's Treasury; and I may observe, that even since this document was framed, a rise has taken place in the price of freight, and a double insurance must be effected on the exports in consequence of war, whilst the price of the staple product continues to decline.

I have no doubt this engagement on the part of the colony will be punctually fulfilled.

I have, &c.
(signed) *Saml. W. Blackall,*
Lieutenant-Governor.

His Excellency the Governor-in-Chief,
&c. &c. &c. Antigua.

Sub-Enclosure 2, to Enclosure in No. 12.

REPORT.

THE joint committee appointed by your honourable Board and House, to take into their consideration the message of the Lieutenant-governor with reference to the balance of principal due, and accruing interest on the loan granted to the colony, and to report to your honourable Board and House the measures best to be adopted for liquidating this claim, have to report:

1st. That the balance now due on the original loans of 10,000 *l.* is -	£. 5,000
Interest to November 1853 - - - - -	1,298
Total - - -	£. 6,298

2d. Your

2d. Your committee have not failed to give their earnest consideration to the matter submitted to them; and although they could with great force bring to the notice of your Board and House, causes more than sufficient to excuse the colony for not having for a considerable period met the annual payments originally agreed upon, yet, anxious that the colony should, even at a great sacrifice, keep their faith with the home Government, they would propose that the Legislature should offer, through the executive, to meet the claim above referred to, in annual payments of 500*l.* each, the first instalment to be made on the 1st January 1855, until the whole amount is liquidated.

3d. Taking into consideration the unparalleled distress under which this colony is now suffering, arising from causes, a few of which your committee would enumerate, your committee feel sure that the parent Government will not hesitate, not only to accept the terms proposed, but also to forego the interest which will hereafter accrue.

4th. Your honourable Board and House are aware that without any corresponding rise in the price of our staple produce, the cost of every article of supply necessary for the cultivation of the estate has gone up, and in many instances 100 per cent.; but the freight of our produce has also increased 50 per cent., and that on the 1st July next sugars, the property of slave countries, will come into England on terms similar to our own. The withdrawal of the troops from this Island will also make a considerable reduction in the revenue (hitherto not sufficient to meet the ordinary expenditure), and this latter must be replaced by increased taxation. Small as may appear to the home Government the annual amount which your committee propose to pay each year, yet in the crippled state of this country, with no gleam of sunshine in the distant horizon to warrant a hope of better days, your committee feel they would not be authorized to offer to the consideration of your Board and House a larger payment; and even to meet this amount, your committee feel that additional taxation for this specific object must be resorted to.

(signed) *W. H. M'Coy*,
Clerk of Committees.

Committee Room,
23 March 1854.

— No. 13. —

No. 13.
H. Merivale, Esq. to Sir C. E. Trevelyan, K.C.B.
17 June 1854.

COPY of a LETTER from *H. Merivale*, Esq. to Sir *C. E. Trevelyan*, K.C.B.

Sir, Downing-street, 17 June 1854.

I AM directed by the Secretary of State to transmit to you, for the consideration of the Lords Commissioners of the Treasury, the copy of a despatch from the Governor-in-Chief of the Windward Islands, forwarding a despatch from the Lieutenant-governor of St. Vincent, with a memorial from Mr. Alexander Cumming, the nominal proprietor of two estates in that island, which are liable to be sold to pay off the loans secured upon them.

No. 30, 3 May 1854.

I am, &c.
(signed) *H. Merivale.*

Enclosure, in No. 13.

Encl. in No. 13.

(No. 30.) Windward Islands, Barbadoes, 3 May 1854.
(Received, 5 June 1854.)

My Lord Duke, (Answered, 14 August 1854, No. 5, page 32.)

WITH reference to my despatch, No. 13, of the 28th of March last, transmitting one from the Lieutenant-governor of St. Vincent, relative to the estates in that island which are indebted to the Crown, I have the honour to transmit copy of a despatch, enclosing a memorial from Mr. Alexander Cumming, the nominal proprietor of two estates, (Lot Fourteen and Rabaca,) which are liable to be sold to pay off the loans secured upon them, and recommending the case of Mr. Cumming to the favourable consideration of Her Majesty's Government.

No. 47, 24 April 1854.
Memorial, 13 April 1854.

I have, &c.
(signed) *W. M. G. Colebrooke.*

His Grace the Duke of Newcastle,
&c. &c. &c.

Sub-Enclosure 1, to Enclosure in No. 13.

(No. 47.)

Sir, Government House, 24 April 1854.

1. I HAVE the honour to enclose in duplicate a memorial addressed to me by Mr. Alexander Cumming, the present nominal proprietor of two estates in this island, which were extremely valuable, namely, Lot Fourteen and Rabaca Estates, which it is expected must soon be sold by Her Majesty's Goveernmnt, to pay off the Hurricane Loan.

2. The object of Mr. Cumming's memorial is to save, if possible, a small portion of those estates, as a place of refuge for his widowed mother and the members of his family still unprovided for. If Her Majesty's Government can consistently grant his prayer, such an act of forbearance would cause great satisfaction to the community at large, amongst whom the Cumming family have been favourably and honourably known for a very great number of years, and amongst whom the late Mr. Cumming passed 66 years of his life.

3. The memorial may briefly be regarded as an appeal to the compassion of his creditor by a once opulent and honest debtor, now reduced, by a series of misfortunes, to a condition incompatible with the discharge of obligations contracted under different circumstances. The debtor in this case simply asks a slight abatement of his creditor's claim, that he may not be left in utter destitution.

4. Unquestionably, to grant any portion of land, however small, belonging to an estate, must diminish the amount likely to be realised by the sale of that estate, more especially when, on the land reserved the estate dwelling-house is situated; and the enclosed memorial is therefore a request that Her Majesty's Government will, under the circumstances, be contented to forego a portion of an admitted debt.

5. Having personally visited Lot Fourteen Estate, and inspected the dwelling-house and land in question, as shown in the accompanying plan, I can certify that no portion of that land is included in the cane-fields, whilst in the immediate vicinity of the dwelling-house, is another house, where the stipendiary magistrate of the district at present resides, and which might serve as a residence for any future purchaser of the estate.

6. I believe that if Her Majesty's Government would authorize a release of the Government claim on the house and land set forth in the enclosed plan; the mortgagees would likewise willingly forego their claims on that portion of the property, as the Government claim so far exceeds the value of the estate that the mortgagees could not expect the property to realize sufficient to pay off even the Government claim, which neverthless is antecedent to theirs.

7. It is very possible that the prayer of the memorial may be altogether inadmisable for some reason of which I am not aware, but, anxious as I am to see estates now burthened with Government claims, thrown into the market, in the hope that the purchasers may reside on them, I should also like much to see the course followed by Her Majesty's Government tempered and popularized by occasional acts of forbearance, such as that prayed for by the Cumming family.

I have, &c.

His Excellency
Colonel Sir Wm. Colebrooke, C. B. & K. H.
Governor-in-Chief.

(signed *Richard Graves Macdonnell.*
Lieutenant-Governor.

Sub-Enclosure 2, to Enclosure in No. 13.

Lot Fourteen Estate, St. Vincent,
13 April 1854.

Sir,

Having heard that Government is likely to bring Lot Fourteen and Rabaca Estates to sale, I take the liberty of addressing your Excellency on the subject, as I am anxious to leave no effort on my part untried to secure something to the family out of the wreck of these once valuable properties, and, perhaps, your Excellency will kindly bring under the notice of the proper authorities the following circumstances, which may be the means of securing the object I have in view, which I will mention after having stated the circumstances:

1st. My late father, Alexander Cumming, arrived in St. Vincent in 1787 about the age of 20, and resided here (with the exception of a few years, when in England and Scotland for change of climate), from that time until his death last year, at the age of 85, a period of 66 years.

2d. He served in the militia during the Carib war, and was a member of Assembly and justice of the peace during a great part of his residence in St. Vincent.

3d. He purchased the lands now forming Lot Fourteen Estate from the Government, and began reclaiming and settling them on the 1st of August 1808, after having done so, the estate gave a very handsome income up to 1829.

4th. In 1825, he erected at his own expense, a wooden chapel, for many years the only place of public worship in this part of the island, which he kept in repair, also at his own expense. It is still used as a place of public worship.

5th. In 1829, he unfortunately purchased Rabaca Estate, which adjoins Lot Fourteen, for the sum of 85,000 *l.* sterling, 25,000 *l.* of which were paid down.

6th. In 1831, the hurricane took place which caused so much damage to these estates, that he was under the necessity of availing himself of the Government Loan, to the amount of 9,800 *l.* for Lot Fourteen, and 7,300 *l.* for Rabaca.

7th. The Emancipation in 1834, and the Sugar Bill of 1846, have reduced these estates to a mere fractional part of their original value.

8th. His agents in London, the Hon. Wm. Fraser & Co., failed in 1847, returning 3,000 *l.* of protested bills, after receiving the greater part of the crops.

9th. These three latter events inextricably involved my late father, and rendered it totally impossible for him to pay the annual interest on the Government loan after the year 1846.

10th. He has left a widow, aged 65, and three unmarried daughters of the respective ages of 28, 25, and 20, totally unprovided for, except what they may derive from the estates; they are all resident in this island.

11th. I, his eldest son, have resided in this island since 1836, with the exception of 18 months when absent for change of climate. I am now 39, having passed the best years of my life out here. Three of my brothers have resided here from the time they finished their education, all deriving part of their maintenance from the estates, either as doctor or agents.

Under these circumstances I trust that Government will not consider that I am asking too much in now making application, in the event of its bringing the estates to sale, for the dwelling-house on Lot Fourteen, the stabling, bath-house, and servants' rooms, with 4 acres, 2 roods, and 30 perches of land round about them.

The accompanying diagram will show the situation of the house and land applied for; cane land is not trenched upon. It may be as well to mention, that unless a clear title be given by Government, we shall still be subject to the claim of the Hon. Wm. Fraser, Alexander, Neilson & Co. as mortgagees.

I have, &c.
(signed) *Alex. Cumming.*

To his Excellency
Richard Graves M'Donnell, Esq. C.B.,
Lieutenant-Governor.

— No. 14. —

No. 14.
Sir C. E. Trevelyan, K. C. B., to H. Merivale, Esq.
9 August 1854.

COPY of a LETTER from Sir *C. E. Trevelyan*, K. C. B., to *H. Merivale*, Esq.

Sir, Treasury Chambers, 9 August 1854.

WITH reference to your letter of the 17th of June last, transmitting a memorial from Mr. Alexander Cumming, nominal proprietor of two estates in St. Vincent, for relief in regard to loans to those estates, I am commanded by the Lords Commissioners of Her Majesty's Treasury to transmit for the information of Secretary Sir George Grey, copy of a Report from the West India Relief Commissioners, dated the 20th ultimo, on the subject, and to state, that my Lords regret that the application of Mr. Cumming, and the recommendation of the Governor in his favour, cannot be complied with.

I am, &c.
(signed) *C. E. Trevelyan.*

Encl. in No 14.

Enclosure in No. 14.

Rabaca, and Lot Fourteen Estates, St. Vincent.

Public Works Loan Office, South Sea House, London,
20 July 1854.

Sir,

I HAVE to acknowledge the receipt of a letter from the Colonial Office, dated 17 June 1854, enclosing a memorial from Mr. Alexander Cumming, nominal proprietor of the two estates above-mentioned in St. Vincent, containing a recital of circumstances which are stated to have placed him and near relatives in great distress, and praying, in the event of the estates being brought to sale for the discharge, so far as they will go, of the loans advanced by this Board on mortgages thereof, under the West Indian Islands Relief Acts, that there may be released to him the dwelling-house on Lot Fourteen, the stabling, bath-house, and servants' rooms, with about four acres of land round about them.

Enclosed with the memorial is also a despatch of the 24th April from the Lieutenant-governor of St. Vincent to the Governor-in-Chief, and a despatch of the 3d May from his Excellency to his Grace the Duke of Newcastle, strongly recommending the case to the favourable consideration of Her Majesty's Government.

These documents having been referred to this Board, I am directed to report, that however deeply the Commissioners may regret the misfortunes under which the applicant and his relatives appear to be suffering, and however willing the Commissioners might be to report in favour of any proposal for relief, they consider in the present case that they do not possess authority to comply with the request of the applicants, and, with reference to numerous other parties and properties under circumstances in many respects of a like character, even if they had authority, it is at least very doubtful whether it would be expedient to exercise it.

I am, &c.
(signed) *J. S. Brickwood.*

James Wilson, Esq., M. P.,
Treasury Chambers.

— No. 15. —

No. 15.
Sir G. Grey, Bart. to Governor Sir W. M. G. Colebrooke.
14 August 1854.

(No. 5.)

COPY of a DESPATCH from the Right Honourable Sir *G. Grey*, Bart., to Governor Sir *W. M. G. Colebrooke*.

Sir, Downing-street, 14 August 1854.

I HAVE to acknowledge the receipt of your despatch of the 3d of May last, St. Vincent No. 30, forwarding a memorial from Mr. Alexander Cumming, nominal proprietor of two estates in that island, for relief in regard to loans to those estates.

I transmit to you for your information, a copy of a letter from the Lords Commissioners of the Treasury, to whom I directed your despatch and the memorial to be referred. And I have to request that you will cause Mr. Cumming to be informed that his memorial having been submitted to the Lords Commissioners, their Lordships have come to the conclusion that his application cannot be complied with.

9 August 1854.

I have, &c.
(signed) *G. Grey.*

— No. 16. —

No. 16.
H. Merivale, Esq. to Sir C. E. Trevelyan, K.C.B.
11 August 1854.

COPY of a LETTER from *H. Merivale*, Esq., to Sir *C. E. Trevelyan*, K.C.B.

Sir, Downing-street, 11 August 1854.

WITH reference to the correspondence on the subject of the Hurricane Loans, I am directed by Secretary Sir George Grey to annex, for the information of the Lords Commissioners of the Treasury, a despatch from St. Lucia, enclosing an estimate by Mr. Campbell of the value of Mr. Muter's Pearl Estate, and a copy of a letter from Mr. Muter to this department on the subject of the same estimate; also, copies of despatches from the Governor of Barbados, covering papers which Sir George Grey presumes have already reached their Lordships through the Loan Commissioners.

St. Lucia, No. 13, 10 April 1854.
St. Lucia, 22 April 1854.
Barbados, No. 20, 25 March 1854.
Barbados, No. 22, 8 April 1854.

I am, &c.
(signed) *H. Merivale.*

Encl. 1, in No. 16.

Enclosure 1, in No. 16.

(No. 13.) Windward Islands, Barbados, 10 April 1854.
My Lord Duke, (Received, 1 May 1854.)

REFERRING to Sir John Pakington's despatch, No. 3, dated 13th April 1852, I have the honour to enclose copy of one from the Lieutenant-governor of St. Lucia with an estimate made by Mr. D. G. Campbell of the value of the Pearl Estate, the property of Mr. Muter.

No. 24, 4 April 1854.
27 March 1854.

I have, &c.
The Most Noble The Duke of Newcastle, (signed) *W. M. G. Colebrooke.*
&c. &c. &c.

Sub-Enclosure 1, to Enclosure in No. 16.

(No. 24.)

Sir, St. Lucia, 4 April 1854.

I HAVE the honour to forward herewith, for the information of his Grace the Duke of Newcastle, an estimate made by the Honourable D. G. Campbell, of the value of the Pearl Estate, the property of Mr. William Muter, in accordance with despatch No. 69 of the 25th May 1852.

I have, &c.
His Excellency the Governor-in-Chief, (signed) *Maurice Power.*
Barbados.

Sub-Enclosure

Sub-Enclosure 2, to Enclosure in No. 16.

I, THE undersigned, *Duncan G. Campbell*, of the Marquis Estate, in the quarter of Dauphin, in the Island of St. Lucia, declare that at the instance of his Excellency the Lieutenant-governor of this colony, and of William Muter, owner of the Pearl (or Perle) Estate, situated in the valley of Roseau, quarter of Castries, in the said island of St. Lucia, I went to the said estate for the purpose of appraising the same, together with the buildings, engine, stock, canes, and other appurtenances thereof, and that I did proceed to such appraisement as follows, viz.:

		£. s. d.	£. s. d.
Buildings:			
Sugar manufactory, curing house, and engine house burnt and destroyed		nil.	nil.
Bricks of three chimnies and pillars		50 – –	
One mogass house much damaged		10 – –	
One dwelling-house, 60 ft. long by 28 ft. wide, roof in bad order		100 – –	
Two outbuildings, in bad order also		100 – –	
Mule pen, 60 ft. by 20 ft.		80 – –	
Nine new and ten old negro houses, at 60*s.* and 40*s.* each respectively		56 – –	
			396 – –
Machinery:			
One steam engine and iron boiler complete		400 – –	
Two copper clarifiers, one of 350 gallons and the other of 250 gallons, 600 lbs. at 10*d.*		25 – –	
Five copper teaches, mounted, in bad order, $\frac{1}{200}$ $\frac{2}{250}$ $\frac{2}{350}$ galls.		37 10 –	
One old copper teach, 200 lbs.		7 10 –	
			470 – –
Stock:			
Six cattle, four worth 50*l.* and two worth 18*l.*		68 – –	
Thirteen mules worth		185 – –	
			253 – –
Crop:			
Ten carrés canes at 5 hhds. per carré	50 hhds.		
Four carrés canes (bad) at 1½ hhds. per carré,	6 „		
Six carrés canes at 4 hhds. per carré	24 „		
	80		
But the crop can only be estimated at one-half its quantity on account of its being reaped at another estate, say therefore 40 hhds. at 10*l.* sterling		400 – –	
Add for molasses, &c.		50 – –	
			450 – –
Land:			
Forty carrés cane land, at 10*l.* sterling		400 – –	
Thirty and odd carrés pasture and brushwood		150 – –	
			550 – –
TOTAL VALUE £.			2,119 – –

Say, Two Thousand One Hundred and Nineteen Pounds Sterling.

(signed) *D. G. Campbell.*

Castries, St. Lucia,
27 March 1854.

Encl. 2, in No. 16.

Enclosure 2, in No. 16.

My Lord Duke, Clapham Common, 22 April 1854.

With reference to my memorial to your Grace of the 24th ultimo, regarding the Crown debts of the colonists of St. Lucia for losses in the hurricane of 1831, I have the honour to forward to you copy of the official valuation of my sugar plantation, the Pearl Estate, one of those on which a loan was granted, received by the last West India mail, and dated the 27th ultimo.

So far back as the month of June 1852 I made an application in writing to the Lieutenant-governor to appoint a disinterested and trustworthy individual to make this valuation; and Mr. Campbell, the gentleman who made it, is one of the present non-official members of the Legislative Council.

I take the liberty of beseeching your Grace's attention to two or three particulars connected with the present valuation of this sugar plantation, and the balance of the Crown debt unliquidated upon it, which will go to prove the correctness of the observations in my memorials and other representations to your Grace respecting the depreciated value and ruined state of real property in St. Lucia, and serve to expose the unsoundness of the rule on which the West India Relief Commissioners had intimated their willingness to compound with the Crown debtors, viz., "to accept in all cases the estimated value of each plantation in full of the Crown debts mortgaged on each."

	£.	s.	d.
1. The value of the Pearl sugar plantation now under consideration in the year 1846, before the Imperial Sugar Duty Equalisation Act of 1846 began to take effect, was - - - - - Sterling	8,000	–	–
Without the standing crop.			
2. The value of this same property on the 27th March 1854, according to the official report of Mr. Campbell herewith, was - - -	2,119	–	–
With, on the contrary, the standing crop, but without making any provision therein for the labourers' hire either to plant the canes or manufacture into sugar.			
3. The balance of capital remaining unliquidated of the Crown debt mortgaged on this same property, is - - - - - - -	1,600	–	–
With arrears of interest since 1846, and including that year; or nearly the amount (with the arrears of interest) at which it is estimated on the 27th ultimo.			

Applying, then, this rule of compounding of the Relief Commissioners to the present case, the results would be, that the British public would receive the entire balance due upon the Crown loan, to the exclusion of both the proprietor and the other mortgagees; and also to the exclusion of the merchant who had advanced his money to plant and reap the canes of the plantation. Thus the Crown would be made to act the part of the most rigorous prior mortgagee for the benefit of the public, to the prejudice of all these other parties interested, after having, by its own acts and Legislative measures, reduced the value of St. Lucia property to a merely nominal price. I beg, moreover, to assure your Grace, that it is my decided opinion, that if the Pearl Estate (the sugar plantation in question) were put up to public competition in its present dilapidated and isolated condition, it would not fetch near the above valuation, owing to the continued excessive taxation paralysing the value of all real property in the colony, and preventing capital flowing into it.

I again entreat your Grace, therefore, to take the unfortunate condition of the colonists into your serious consideration, both as regards some principle of compounding the Crown loans on moderate and reasonable terms, compatible with their present condition, and with the view to give them some real relief from their long-continued heavy annual taxation.

The present annual value of the Pearl Estate compared with its value in 1846 (without the standing crops at each period) is one-fifth; the rule, therefore, which I would respectfully suggest for the Relief Commissioners to be authorised to compound with all the St. Lucian Crown debtors for losses in the hurricane of 1831 would be, by receiving one-fifth of the remaining unliquidated capital of each loan, and so discharge the entire of each debt.

This would allow all parties interested to participate proportionably in the wreck of the plantations, and yet subject all to very heavy losses. It will not be denied, in the case of St. Lucia especially, that the British public ought to share largely in the losses of the unfortunate inhabitants of our ruined colony, for the reasons already so fully brought under your Grace's consideration.

I have, &c.

His Grace the Duke of Newcastle, (signed) *William Muter.*
Her Majesty's Principal Secretary of State for the Colonies.

P.S.—I beg leave also to transmit to your Grace copy of a letter which I have just received from the Treasury, dated the 21st instant (yesterday). I presume this is in reference to my memorial of the 24th March last, and fully corroborates my anticipations in my letter to your Grace of the 10th instant, transmitting the letter of the Chancellor of the Exchequer to me under date the 14th March last.

(signed) *William Muter.*

Sub-Enclosure to Enclosure 2, in No. 16.

Sir, Treasury Chambers, 21 April 1854.

In answer to the further memorial addressed by you to the Secretary of State, and forwarded by his Grace for the consideration of this Board, I am commanded by the Lords Commissioners of Her Majesty's Treasury to acquaint you that my Lords can only refer you to the replies which have been already given to your memorials and to those of other proprietors of estates in St. Lucia.

You must be already aware that the West India Relief Commissioners have full power, with the consent of this Board, to compound these and other loans under circumstances which would justify them in doing so, under the provisions of the Act 8 & 9 Vict., c. 50; and it is unnecessary for their Lordships to issue any further directions upon the subject.

I am, &c.

William Muter, Esq., Clapham Common. (signed) *C. E. Trevelyan.*

Enclosure 3, in No. 16.

Encl. 3, in No. 16.

(No. 20.) Windward Islands, Barbados, 25 March 1854.

My Lord Duke, (Received, 17 April 1854.)

Some unavoidable delay having occurred in obtaining the services of two gentlemen as Commissioners-in-Aid, under the Act of Parliament 2 & 3 Will. 4, c. 125, and subsequent Acts, I have now the honour to report, in reference to your Grace's despatch, "General," No. 3, of the 29th December last, that I have appointed Mr. John Henry Nurse and Mr. Grant E. Thomas, two members of the Council, who, with myself and Mr. Charles Packer, the Acting Attorney-general, were sworn in yesterday, and proceeded to take your Grace's instructions into consideration, together with those which have been since received from the Exchequer Loan Commissioners in London.

I enclose the copy of a communication we have addressed to the Commissioners, and we venture to hope for your Grace's support of our recommendation, with the Lords of Her Majesty's Treasury. 25 March 1854.

I have, &c.

The Most Noble the Duke of Newcastle, &c. &c. &c. (signed) *W. M. G. Colebrooke.*

Sub-Enclosure 1, to Enlosure 3, in No. 16.

West Indian Islands Relief.—Long Bay and Pool Estates.

To the Commissioners constituted and appointed by the Statute 2 & 3 Will. 4, c. 125.

Gentlemen, Barbados, 25 March 1854.

We have the honour to acknowledge the receipt of your private and confidential letter of the 10th ultimo, and to thank you for your suggestions relative to the sale of the above properties.

At a meeting of this Board held yesterday, the Acting Attorney-general being present, the mode of proceeding under the mortgage underwent full consideration, and the Board were unanimously of opinion that it was advisable the notices required by the 8 & 9 Vict., c. 50, should be given. It is remarkable that these notices are required, not only by the 8 & 9 Vict., but also by the 3 & 4 Vict., c. 40, s. 1, and by the Act of the 11 & 12 Vict., c. 38, s. 4, the latter Act authorising sales, although possession may not have been taken; but it seems to be confined to the cases where certificates of extension have been granted under it.

From being resident in the island, and acquainted with the circumstances of the planters, we are induced to offer a few observations of a general nature relating to these Government loans.

By a list made up to March 1851, there appears to be the sum of 158,355 *l.* due for principal money on the mortgages, of which 104,815 *l.* was then in arrear, independently of a large arrearage of interest. Presuming that no great reduction of the principal, nor perhaps of the interest, has been made since that time, it would seem that, under the Acts of Parliament, a great number of these estates could at once be proceeded against; and were such a course to be taken, much distress would be occasioned in the island, and a great depreciation of property would take place, and we think that a less amount would be realized than by the adoption of a more lenient course. We would therefore venture to recommend that a strict enforcement of the payment of all arrears of interest be made; but as regards the principal sums, that a further extension of time for their payment be given. It is the opinion of this Board, that by adopting this course the distress in a great measure would be avoided, which a rigid proceeding for obtaining payment of the arrears of principal and interest would inevitably produce. The Government, in generously granting these loans,

contributed material assistance to the planters, and agriculture has, no doubt, derived advantage from the capital so thrown into the island. On a reference to the list before alluded to, it appears that, with very few exceptions, the interest of the loans had been paid up to 1846, and the average of interest is chiefly from and subsequent to 1847. The difficulties which the agriculturists of the island laboured under were augmented in the year 1847 by the sudden and great fall in the price of sugar, especially Barbados sugar, it having to encounter a greater competition with the Havannah sugar than that of inferior quality, by the failure of the mercantile house of Barton, Irlam, & Higginson, which had extensive claims on the planters of the island that were unexpectedly called for, and by the failure of the West India Bank in this island, to which establishment many of the planters were indebted on cash credit bonds and other personal securities.

These circumstances, we trust, will induce the Lords of Her Majesty's Treasury, if necessary, to apply to Parliament for a further extension of time, in granting which we are of opinion that the whole amount due on the loans will be realized, the estates being equal to its gradual liquidation, it, in fact, being a question of time, depending on their annual profits, as the low rate of interest not being a sufficient inducement to capitalists to invest money in these mortgages, no assistance from them is likely to be afforded.

We shall feel obliged by being furnished with a list of the loans to the present time.

We have, &c.
(signed) *W. M. G. Colebrooke.*
J. H. Nurse.
G. E. Thomas.
Charles Packer.

Encl. 4, in No. 16.

Enclosure 4, in No. 16.

(No. 22.) Barbados, 8 April 1854.
My Lord Duke, (Received, 1 May 1854.)

7 April 1854.

Referring to my despatch, No. 20, of the 25th ultimo, in which I enclosed copy of a letter addressed by the Commissioners-in-Aid to the Commissioners-in-Chief, relative to the Hurricane Loans, I have the honour to enclose copy of a further letter which has been addressed to the Commissioners to guard against a possible impression, that the properties liable for these loans were not under effective cultivation, and affording adequate security to the Government for the debt.

I have, &c.
(signed) *W. M. G. Colebrooke.*

The Most Noble the Duke of Newcastle,
&c. &c. &c.

Sub-Enclosure to Enclosure 4, in No. 16.

West Indian Islands Relief.

To the Commissioners Acting under the 2 & 3 Will. 4, c. 125.

Gentlemen, Barbados, 7 April 1854.

Our attention has been drawn to a representation made by the Lieutenant-governor of St. Vincent, respecting the estates there subject to the loans under the 2 & 3 Will. 4, c. 125, by which it appears that he is under the belief that the estates in St. Vincent, charged with these loans, are undergoing dilapidation, and are being suffered to go out of cultivation, and otherwise becoming deteriorated in value, in consequence of an apprehension existing that they are to be brought to sale to pay these loans, and urging an immediate sale of all these estates in St. Vincent subject to these Crown mortgages.

We take the earliest opportunity of stating for your information, that such is not the state of the plantations in this island; on the contrary, we believe that they are on the whole well conducted, and there is not the slightest ground for entertaining any suspicion that any act has been, or will be done, to injure the estates in this island under the Government mortgages, in consequence of the proprietors expecting that process may be had recourse to for the recovery of the loans.

There is not a single one of these estates which would not sell for considerably more than would pay off the Government loan, which ranks prior to all other claims, and there are very few that are not liable to other debts, the holders whereof would not fail to take proceedings for the recovery of their demands, if the estates were suffered to go out of cultivation. It is true, that if any number of these estates were brought suddenly to sale, there would not be purchasers found for them, and their value would be lessened to the injury of the junior creditors and the proprietors. This would be the natural result from the little capital in the island. If, however, further time be allowed for payment of the principal sums, and a compliance with the terms of payment strictly enforced, we think the instances where it would be necessary to proceed for the recovery of the loans would be few, and the

number

number of estates brought into the market too inconsiderable to affect their value; and the whole amount due in respect of these loans would ultimately be realised.

We have directed a circular to be addressed to the proprietors calling for certain returns, showing the state of cultivation of these estates, which will enable us to speak more confidently as to their condition.

(signed) *W. M. G. Colebrooke.*
J. H. Nurse.
Grant E. Thomas.
Charles Packer.

— No. 17. —

No. 17.
G. Arbuthnot, Esq. to H. Merivale, Esq.
22 Sept. 1854.
* Page 32.

Copy of a LETTER from *G. Arbuthnot*, Esq., to *H. Merivale*, Esq.

Sir, Treasury Chambers, 22 September 1854.

With reference to your letter dated 11th* August, I am directed by the Lords Commissioners of Her Majesty's Treasury to transmit to you herewith for the information of Sir George Grey, copy of a letter from the West India Relief Commissioners, dated the 1st instant, relating to the Pearl Estate, St. Lucia, and partly to the loans advanced for Barbados.

I have, &c.
(signed) *G. Arbuthnot.*

Enclosure in No. 17.

Encl. in No. 17.

Public Works Loan Office, South Sea House, London,
1 September 1854.

Sir,

I have the honour to acknowledge the receipt of a letter from Sir George Grey to Sir Charles Trevelyan, dated 11th August, with its enclosures, partly relating to the Pearl Estate, St. Lucia, and partly to the loans advanced for Barbados, which have been referred to this Board. Herewith returned.

In the letter relating to the Pearl Estate, St. Lucia, Mr. Muter, the proprietor, suggests that this Board should be authorised to compound with all the St. Lucian Crown debtors for losses in the Hurricane of 1831, by receiving one-fifth of the remaining unliquidated capital of each loan, and so discharge the entire of each debt.

The terms upon which the St. Lucia loans should be liquidated, or compounded, have been so frequently brought under the consideration of the Lords of Her Majesty's Treasury by Mr. Muter, and decided answers given to him relative thereto, that there does not appear to be any sufficient reason for his troubling the Secretary of State for the Colonies on the subject.

In the case of the Pearl Estate more particularly, there appears to be less reason for his application, inasmuch as the Commissioners are advised that the Pearl and Bel Air Estates, which together were stated to contain upwards of 500 acres, and are both included in the mortgage to the Crown, are a very good security for 1,600*l.*, the balance of the loan and interest, and according to the valuation obtained at Mr. Muter's request, and referred to in his letter to the Secretary of State for the Colonies, it appears that the Pearl Estate alone, containing 70 acres of land, with the machinery and buildings (irrespective of the crop and stock), is estimated at 1,416*l.*

The Bel Air Estate is not mentioned in such valuation.

With reference to the copies of the despatches from the Governor of Barbados, forwarded by the Secretary of State for the Colonies to the Treasury, I have to report that this Board is in communication with the Commissioners-in-Aid in Barbados with reference to the estates particularly referred to, and the Lords of Her Majesty's Treasury have already decided that it is not expedient to apply to Parliament for powers to grant further time for repayment of loans, which decision will be communicated to the Governor of Barbados, in answer to the suggestion contained in his letters to this Board of the 25th March and 7th April last.

I have, &c.
(signed) *J. S. Brickwood,* Secretary.

James Wilson, Esq.,
&c. &c. &c.
Treasury Chambers.

— No. 18. —

No. 18.
J. Wilson, Esq. to F. Peel, Esq.
4 October 1854.
* Page 28.

Copy of a LETTER from *J. Wilson*, Esq., to *F. Peel*, Esq.

Sir, Treasury Chambers, 4 October 1854.

In reply to your letter of the 17th* June last, relative to the liquidation of so much of the Hurricane Loan advances to Dominica as was taken on the public account, I am commanded by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of Secretary Sir George Grey, that my Lords have carefully considered the proposal contained in the despatch of the Lieutenant-governor of the Isle of Dominica, of the 27th April last, in relation to the liquidation of the balance due by that island, and although my Lords cannot, to the full extent, comply with the suggestions of Major Blackall, yet they are prepared to propose such terms as they have no doubt, on full consideration, the authorities of that island will feel to be both fair and liberal.

On the Government of Dominica making a legal provision for the payment of the annual instalments, my Lords will be prepared to capitalise the arrears of interest now due, and to ask the sanction of Parliament not only to extend the period for payment, but also to reduce the rate of interest from four to three-and-a-quarter per cent., and they will propose that such sum shall be liquidated by an annuity for 20 years, computed at the rate of three-and-a-quarter per cent. interest; the annuity including such interest, and a sinking fund for the principal.

I am, &c.
(signed) *James Wilson.*

— No. 19. —

No. 19.
Sir G. Grey, Bart. to Governor Mackintosh.
14 October 1854.

(No. 7.)

Copy of a DESPATCH from the Right Honourable Sir *G. Grey*, Bart. to Governor *Mackintosh*.

Sir, Downing-street, 14 October 1854.

I transmit for your information and guidance, and for that of the Lieutenant-governor of Dominica, the copy of a letter from the Lords Commissioners of the Treasury, conveying the decision of their Lordships upon the proposal contained in your despatch, No. 14, Dominica, of the 8th of May last, for the repayment of the balance of the debt due by that island on account of the Hurricane Loan.

4 October 1854.

I am, &c.
(signed) *G. Grey.*

— No. 20. —

No. 20.
T. F. Elliot, Esq. to Sir C. E. Trevelyan, K.C.B.
10 October 1854.

Copy of a LETTER from *T. F. Elliot*, Esq., to Sir *C. E. Trevelyan*, K.C.B.

Sir, Downing-street, 10 October 1854.

I am directed by the Secretary of State to transmit to you, for the consideration and decision of the Lords Commissioners of the Treasury, copy of a letter from Messrs. Thomas Daniel & Co., respecting the recovery of the balances due from estates in Barbadoes, upon the Hurricane Loan.

14 Sept. 1854.

I enclose also a copy of the letter which Sir G. Grey has directed to be sent to Messrs. Daniel in reply.

10 October 1854.

I am, &c.
(signed) *T. Frederick Elliot.*

Enclosure 1, in No. 20.

Encl. 1, in No. 20.

Sir, London, 4, Mincing-lane, 14 September 1854.

THE subject on which we venture to take the liberty of addressing you is one of great importance; indeed, there have been few, if any instances, in which we have felt that a more urgent necessity existed for entreating attentive and favourable consideration. You are aware that in the present year slave-grown sugar is admitted into unrestricted competition with the produce of the British colonies, and it has also doubtless been brought to your notice that several memorials were transmitted from the West Indies, praying that the pressure of this competition might be mitigated by a general reduction of duty; instead of reducing, it has been thought fit to increase the duty, which increase falls very heavily on the planters. In Barbados cholera has been raging with fearful violence, carrying off one-seventh of the population; it is impossible to contemplate without sentiments of admiration and respect the manner in which the planters have devoted themselves to the assistance of their poorer brethren; crippled as their means are, they have been freely devoted to the support of those in distress, and the experience which you have acquired in other departments of the State, renders it almost needless for us to say, that the demand upon their resources is not over, but that the maintenance of many helpless persons, as well as the higher wages to be paid for the remaining available labour, will form a serious charge for some time to come.

It is at this crisis, we find, that coercive measures are about being resorted to for the recovery of balances due from estates in said island upon the Hurricane Loan. That the money can be paid by the planters themselves, is quite out of the question; it is impossible; by obtaining advances from merchants and others, and thus stultifiying in a great measure the very object of the loan, some persons will be able to meet the demands upon them, but the application of such advances to the relief of the difficulties which the cholera has entailed would better promote the permanent interests of the country; many persons, however, will not be able to procure assistance, and if their estates be now brought to sale, a state of panic and distress will inevitably arise, from which the island may never recover. We have put the plain truth before you, and we most respectfully but earnestly intreat, that you will exert your powerful influence to avert the mischief we foresee.

It is possible that circumstances may arise to check the competition by which we are at present borne down; we would therefore pray that proceedings for the recovery of the balances due upon these loans may be suspended for a year; should the ruin of the colonies then be consummated it is probable that in Barbadoes there will be enough saved from the wreck to meet the Government demands; should our prospects brighten, the payment of the money will be comparatively easy; we must just add, that the sum paid by the island for principal and interest exceeds the amount of the original loan.

Apologising for the length of this intrusion, we have the honour to remain,

The Right Hon. Sir G. Grey, Bart, &c. &c. &c.
Her Majesty's Principal Secretary of State for the Colonies.

Sir, yours, &c.
(signed) *Thomas Daniel & Co.*

Enclosure 2, in No. 20.

Encl. 2, in No. 20.

Gentlemen, Downing-street, 10 October 1854.

I AM directed by Sir George Grey to acknowledge the receipt of your letter of the 14th ultimo, expressing a hope that in consequence of the distress entailed upon the planters of Barbados by the recent visitation of cholera in that island, Her Majesty's Government will not press, at the present moment, for the recovery of the balances due from estates in Barbados upon the Hurricane Loan.

I am to acquaint you in reply, that a copy of your letter has been forwarded to the Lords Commissioners of the Treasury for their Lordships consideration and decision. But I am to add that Sir George Grey must observe that Barbados cannot but be regarded as having had great advantages in the competition with other sugar-growing colonies in the West Indies.

I have, &c.
(signed) *T. F. Elliott.*

Messrs. Thomas Daniel & Co.

—No. 21.—

No. 21.
Sir C. E. Trevelyan, K. C. B. to H. Merivale, Esq. 31 October 1854.

COPY of a LETTER from Sir *C. E. Trevelyan*, K. C. B., to *H. Merivale*, Esq.

Sir, Treasury Chambers, 31 October 1854.

I AM commanded by the Lords Commissioners of Her Majesty's Treasury to transmit to you herewith, for the information of Secretary Sir George Grey, copy of a letter from Mr. J. S. Brickwood, dated 19th instant, respecting the recovery of the balances due from estates in Barbados, upon the Hurricane Loan.

I am, &c.
(signed) *C. E. Trevelyan.*

Encl. in No. 21.

Enclosure in No. 21.

West Indian Island Relief.—Hurricane Loans, Barbados.

Public Works Loan Office, South Sea House,
London, 19 October 1854.

Sir,

I HAVE the honour to acknowledge the receipt of a letter, dated 10th October 1854, from the Secretary of State for the Colonies to you, enclosing copy of a letter from Messrs. Thomas Daniel & Co., respecting the recovery of the balances due from estates in Barbados upon the Hurricane Loan, and of the reply Sir George Grey had directed to be sent, which have been referred to this Board.

Messrs. Daniel & Co. pray that proceedings for the recovery of the balances due may be suspended for a year for the reasons stated in their letter, this Board, however, do not see any grounds for recommending their Lordships to grant such request, or any other general measure for extending the time for repayment of principal, or delaying proceedings for recovery of the arrears of interest.

The principle upon which the Commissioners have, with the approbation of their Lordships, hitherto acted, has been to let each case be governed by its own circumstances, and experience has proved this to be the most judicious course, and therefore this Board cannot recommend their Lordships to sanction any departure therefrom.

In many cases borrowers have paid the arrears of interest, stated the circumstances relative to the cultivation of their estates; and according to and on full consideration of those circumstances, arrangements have been concluded for granting time for the gradual liquidation of the principal within the period prescribed by the Acts of Parliament; and the greatest leniency has been shown, and the convenience of the parties fully considered, where a disposition has been evinced on their parts to meet the Crown's claims.

Other parties have neglected wholly the applications made for payment, and in such cases this Board has been in communication with the Commissioners-in-Aid in Barbados, and have directed notices to be given of the intended proceedings.

If Messrs. Daniel & Co., in any of the estates in which they are interested, can lay before the Board such a statement as will show that the circumstances justify delaying for a year the payment of the whole, or, a portion of the principal, the Commissioners will be ready to give such statement their most indulgent consideration; but, as regards the arrears of interest, the Commissioners have invariably required the immediate payment, in which requirements the Commissioners-in-Aid in Barbados fully coincide.

I have, &c.
(signed) *J. S. Brickwood,*
Secretary.

Sir C. E. Trevelyan, C. B.,
&c. &c. &c.
Treasury Chambers.

— No. 22. —

No. 22.
F. Peel, Esq. to J. Wilson, Esq.
19 January 1855.

COPY of a LETTER from *F. Peel*, Esq., M. P., to *J. Wilson*, Esq., M.P.

Sir,

Downing-street, 19 January 1855.

I AM directed by the Secretary of State to transmit to you, for the consideration of the Lords Commissioners of the Treasury, copy of despatch from the Governor-in-Chief of the Leeward Islands, enclosing two addresses, presented to the President of Dominica by the Council and Assembly of that island, relating to the repayment of the advances under the Hurricane Loan.

Dominica, No. 32, 11 Dec. 1854.

I am, &c.
(signed) *F. Peel.*

Encl. in No. 22.

Enclosure in No. 22.

(No. 32.)

Leeward Islands, Antigua, 11 December 1854.
(Received, 1 January 1855.)

Sir,

I HAVE the honour to transmit to you, herewith enclosed, copies of two addresses presented to the President administering the government of Dominica by the Council and Assembly of that island, and also of some comments of my own on the first of these above-mentioned documents, the whole relating to the present state of the repayment of the advances under the "Hurricane Loan."

Encls. Nos. 1 and 3.

No. 2.

2. The first of the above-mentioned documents reached me before I was in possession of the opinion which has been formed on the question involved by the Lords Commissioners of Her Majesty's Treasury, and which was conveyed in your despatch, Dominica, No. 7,* of the 14th of October; and, as will be apparent from my despatch to Mr. Bremner, I felt some disinclination to forward to you a paper whose tenor may be said to be at issue with such opinion.

* Page 38.

3. I continue

3. I continue to think that the amount of obligation for which the public is responsible (say 7,000 *l.*) is not a larger sum than the island can, with the facilities which their Lordships are now prepared to sanction, ultimately repay. In this view I am supported, as you are already aware, with all the force which the necessarily more intimate local knowledge of the Lieutenant-governor contributes to it.

4. But, on the other hand, with an empty treasury, and a prospect of the continuance of the present depression of the prices of sugar, public sentiment in the island is just now additionally disturbed and disappointed by the recent discontinuance of the expenditure on account of the garrison which has lately been withdrawn from it.

5. I venture, also, again to suggest the possibility of the recognition of a distinction which may, if legitimate, entitle Dominica to some peculiar consideration in this matter, between the origin of her indebtedness, which, through the fall of a blight, contemporaneously with the hurricane of 1834, on the coffee plant, may be said to have amounted to an annihilation of property, and the at most temporary effects of the earthquake of 1843, on account of which the advances to the islands of Antigua, Montserrat, and Nevis were made.

6. There are, as you are aware, no means whatever, apart of the right feelings of the local Legislature, of enforcing the repayment of the public portion of this loan; and any direct appeal to the above-mentioned bodies for an immediate settlement of the whole claim would meet with but doubtful success, until at least they shall have been again heard on the present occasion.

7. Under such an impression, I am in some degree reconciled to again thus trespassing, at the instance of the local Legislature, on your attention; as, at all events, an opportunity will be afforded of your considering whether it might not be better in the first instance gracefully to make a partial remission of a claim, which, in its integrity, there would be little hope of realising. It is understood that the West Indian Island Relief Commissioners have made considerable abatements in the liabilities of the several private borrowers; and if the Lords Commissioners of Her Majesty's Treasury could be induced to act to a generally corresponding extent with those of the public debtor, a deeply impoverished community would receive benefit through a perhaps sustainable analogy with what may be presumed to have already been done with their Lordships' concurrence.

I have, &c.
(signed) *R. J. Mackintosh.*

The Right Hon. Sir George Grey, Bart., G.C.B.,
&c. &c. &c.

Sub-Enclosure 1, to Enclosure in No. 22.

His Honour the President and Board of Council, and his Honour the Speaker and House of Assembly, to his Honour the President administering the Government.

The Board and House having taken into mature consideration the claim of the Imperial Government upon this colony for the sum of 5,404*l.* 13*s.* 2*d.* with interest at four per cent. from the 9th November 1847, being balance upon the original sum of 10,000*l.* advanced to the colony on the occasion of the disastrous hurricane of 1834, request to submit, through your Honour, to the favourable notice of Her Majesty's Government, some of those reasons which the Board and House conceive may be legitimately urged for inducing the Government either to forego the claim altogether, or to abate a considerable portion of it.

Firstly, The Board and House would remind Her Majesty's Government that the principle of an abatement with respect to claims of this description has already been liberally admitted in the case of private individuals; thus the planters in this island, who, like the colony, obtained loans from the Government, consequent upon the hurricane of 1834, are, on the ground of the general misfortune which has overtaken the West India planting interest, being dealt with in a spirit of concession and liberality which the Board and House gratefully acknowledge.

The Board and House need not surely point out that in an island like this, where all other material interests depend upon the agricultural, the misfortune of the planter could scarcely fail to affect very materially the public revenue. It would, therefore, seem to follow, that the obvious grounds upon which the Government has extended a considerate regard to the embarrased position of the individual debtor, should likewise form an element of consideration in dealing with the public debtor.

Secondly, The Board and House would invite the attention of the Government to the fact, that at the time of the loan there existed a state of society which did not charge the public revenue with a greater outlay than a 4,300*l.* yearly, whereas the subsequent state of general freedom entailed the necessity of institutions suited to the altered condition of society, until that outlay now reaches 9,300*l.* A police organisation, at a cost of 950*l.* a year; the establishment of schools, at a cost of 800*l.* a year; a yearly expenditure of 960*l.* for the relief of

the poor, another of 660*l.* upon the roads; a prison discipline recently provided for, at an outlay of 1,600*l.* attest the difference of the two periods, and swell to an amount, unknown at the period of the loan, the public disbursements of this small community; whilst not least in the features of that difference, the Board and House would point to the recent withdrawal of Her Majesty's troops as presenting not only an additional cause of augmented expenditure, since the 11 men composing our police force can scarcely be deemed a sufficient public force for a population of 24,000, but also a cause of diminished revenue.

Thirdly, The Board and House would pray that Her Majesty's Government should be informed of the actual embarrassed situation of our public finance, when there is now due to public officers the whole of the quarter ended 24th September last, and two months upon the previous quarter ended 24th of June, besides a sum of 420*l.* to small local claimants, with an available credit at the Treasury of 212*l.* 11*s.* 9*d.* on that 24th of September; and this without the visible means of redeeming the public faith.

Fourthly. The Board and House append two statements:

The first (A.) showing the present expenditure of the island under the respective heads mentioned, by which the Government will perceive that that expenditure does not manifest much absence of economy.

The second (B.) showing the various subjects of taxation, and the revenue derived from each branch for the three years and nine months ended with September 1854, and comparing the nine months of each of those years.

The Board and House can account for the marked falling off in the duties on imports in the three quarters of this year just expired no otherwise than by the removal of the troops and the progressive and disastrous depreciation of all kinds of property.

In conclusion, the Board and House would respectfully but earnestly submit, that in view of the general depreciation of the value of property, and of the unremunerative pursuit of agricultural, our only industry, consequent upon the Sugar Act of 1846; in view of the withdrawal of Her Majesty's troops, and of the augmented public expenditure entailed by an altered state of society; in view of the colony having already paid in principal and interest the amount of 8,827*l.* 11*s.* 8*d.*; in a word, in view of the positive inability of the island to meet the demand in question, Her Majesty's Government may consent either to forego the claim altogether, or to accept 4*s.* in the pound, payable at once, in full liquidation of it.

Council Chamber, 27 October 1854. (signed) *James Garraway*, Presiding.

House of Assembly, 27 October 1854. (signed) *Galvan L. Bellot*, Speaker.

Dominica, 1854.

(A.)

Statement, showing the present Expenditure of this Island.

Fixed Expenditure:	£.	s.	d.	£.	s.	d.
Chief Justice	600	–	–			
Attorney-general	300	–	–			
Colonial Secretary	298	–	–			
Treasurer	300	–	–			
Provost Marshal	300	–	–			
Police Magistrate	300	–	–			
Rector	320	–	–			
Clerk of Assembly	200	–	–			
Messenger of Assembly	60	–	–			
Auditor General	150	–	–			
Surgeon to Gaol and Infirmary	150	–	–			
First Revenue Officer	180	–	–			
Second ditto	160	–	–			
Third ditto	180	–	–			
Fourth ditto	120	–	–			

	£. s. d.	£. s. d.
Printer to the Legislature	123 – –	
Keeper of the common Gaol	100 – –	
Turnkey	40 – –	
Two Superintendents of Penal Gang, 40 *l.*	80 – –	
Matron to the Goal	35 – –	
Chaplain to the Gaol	20 – –	
Matron to Infirmary	30 – –	
Harbour-master	100 – –	
Interpreter	50 – –	
Clerk of Patents	20 – –	
Clerk of the Market	25 – –	
Clock Keeper	15 – –	
Court Housekeeper	32 – –	
Clerk and Sexton	48 – –	
Church Organist	16 – –	
Lieutenant-colonel of Militia	40 – –	
Adjutant-general ditto	40 – –	
Adjutant Militia	30 – –	
Superintendent of Police	100 – –	
Two Serjeants of Police, at 60 *l.*	120 – –	
Nine Privates of Police, at 48 *l.*	432 – –	
Salaries of 46 Persons £.	5,114 – –	
Six Pensioners	118 – –	
Schools	800 – –	
Rent of Revenue Department	80 – –	
Rent of Offices for Stipendiary Magistrates	15 – –	
Land Rent of Government House	13 – –	
Lights and Signals	50 – –	
Town Wardens: Repairs to Public Streets	50 – –	
£.	– – –	6,240 – –
Expenditure Unfixed in Amount founded on an average of the three last Years:		
Drawbacks	217 – –	
Gaols	260 – –	
Inquests	219 – –	
Roads	664 – –	
Rural Constables	180 – –	
Poor Relief	960 – –	
Printing	62 – –	
Stationery	65 – –	
Public Buildings	82 – –	
Boat Service at Revenue Department	116 – –	
Board of Health	95 – –	
Militia	8 – –	
Elections	11 – –	
Miscellaneous, inclusive of Lunatics and Medical Service on extraordinary occasions	64 – –	
Unfixed Expenditure £.		3,003 – –
Total Annual Expenditure £.		9,243 – –

(B.)

SUBJECTS OF TAXATION and MISCELLANEOUS RECEIPTS.	1851.	1852.	1853.	Nine Months ended September 1854.	Nine Months ended September 1853.	Nine Months ended September 1852.	Nine Months ended September 1851.	Comparison of the Nine Months of 1854 with the average Nine Months of the Three preceding Years. Increase. 1854.	Decrease. 1854.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
Import duties, consisting of 7½ per cent. on unenumerated goods, and specific duties varying from 7½ to 30 per cent.	7,734 14 –	5,425 9 –	5,322 7 7	2,949 8 5	3,872 19 5	3,842 12 3	5,452 12 5	- - -	1,339 19 7
Tonnage duty, 2*s.* per ton - - -	911 2 –	868 – –	748 – –	520 10 –	584 4 –	624 6 –	666 4 –	- - -	104 1 4
General Tax Act, comprising a duty on exports, boat licences, auctioneering licences, and duty on auction sales, incomes from 50*l.*, servants, horses, and dogs - - - - - -	931 6 11	(*a*) 71 7 8	(*b*) - - -	1,435 11 11	(*b*) - - -	(*a*) 71 7 8	463 16 10	1,257 3 9	—
Rum duty, consisting of licences to retail liquors, and of 1*s.* per gallon on rum consumed - - - - -	1,712 1 8	1,534 6 10	1,738 19 6	833 13 1	1,056 17 2	962 14 10	1,279 10 8	- - -	199 7 10
House and lot tax, consisting of 4 per cent. on the annual rental of all houses and lots in the towns and villages - - - - - - -	427 16 3	221 11 9	723 13 3	80 1 9	291 12 7	- - -	326 12 5	- - -	125 19 11
Seizures and penalties under revenue laws - - - - - - -	44 11 2	76 14 8	35 1 7	19 18 7	20 2 8	10 7 4	30 4 –	- - -	– 6 1
Fines under criminal process - - -	282 – –	291 5 1	220 17 5	146 15 6	165 – 7	195 17 2	174 16 7	- - -	31 14 11
Warehouse rent - - - - - -	29 1 11	21 11 8	21 13 5	3 2 9	9 10 5	12 1 10	20 13 5	- - -	10 19 1
£.	12,072 13 11	8,510 6 8	8,810 12 9	5,989 2 –	6,000 6 10	5,719 7 1	8,414 10 4	1,257 3 9	1,812 8 9
								Deduct Increase under General Tax Act - - - - - £.	1,257 3 9
								Actual Decrease in Nine Months of 1854, notwithstanding the produce of the General Tax Act - - £.	555 5 –

(*a*) Arrears under General Tax Act for 1851. No such Act for 1852.

(*b*) No General Tax Act this year.

Sub-Enclosure 2, to Enclosure in No. 22.

(No. 63.) Antigua, Government House,
Sir 7 November 1854.

I TRANSMIT to you a copy of a letter, which has been addressed under the directions of the Lords Commissioners of Her Majesty's Treasury to the Colonial Department, stating the terms on which they will be prepared, conditionally on the previous concurrence of the authorities of Dominica, to mitigate the existing pressure on the revenue of the island, in respect of the repayment of the Hurricane Loan.

Mr. Wilson to F. Peel, Esq. 4 October 1854. See page 38.

I have little doubt but that on the full consideration of the proposal which their Lordships have propounded, its reasonable liberality will be readily admitted, and I indulge the hope that you will be enabled at an early day to put me in possession of the Local Act which will be a necessary preliminary to any appeal to the Imperial Parliament.

You will observe that the terms which the Lieutenant-governor proposed; though these would have involved the ultimate liquidation of the whole of the public debt, were beyond what the Lords of the Treasury could bring themselves to assent to. I shall presume, therefore, until I hear from you to a contrary effect, that under the changed circumstances, it will not be the desire of the Council and Assembly that the paper on the state of these advances, addressed to you under date the 27th ultimo, by the President and Speaker, should be forwarded for the consideration of Her Majesty's Government.

Severe as is undoubtedly the pressure of this debt, in its existing form at least, and great as may be the exertion necessary for the maintenance by Dominica of its public faith, it would still, I confess, be with some misgiving, that I should feel myself called upon to sanction the allegations of a document, comprising, be it observed, the credit of many absent parties of reputed wealth, which amounts to an admission of the general insolvency of the island.

I have, &c.

(signed) *R. J. Mackintosh,*
Governor-in-Chief.

His Honour the President Administering the Government,
&c. &c. &c.
Dominica.

Sub-Enclosure 3, to Enclosure in No. 22.

His Honour the President and Board of Council, and His Honour the Speaker and House of Assembly, to His Honour the President Administering the Government.

THE Board and House acknowledge your Honour's message of the 21st instant, covering a communication from the Treasury Chambers to the Colonial Department, stating the ameliorated terms on which the Lords Commissioners of Her Majesty's Treasury are disposed to deal with this island relative to the balance due by it on the Hurricane Loan advances, and also another from his Excellency the Governor-in-Chief on the same subject, and in reference to the appeal recently made by the Board and House to Her Majesty's Government touching those advances.

The Board and House regret the additional correspondence on the same subject necessitated by the unavoidable circumstance of the Treasury communication not having reached them at the time of their final appeal to the Government; but that regret is limited to this cause, for the grounds upon which they have vested that appeal to the generosity of the Government, equally apply to the altered condition of repayment now proposed by the Lords Commissioners, those conditions not involving any diminution of the debt, but simply postponing its liquidation at a reduced interest.

His Excellency the Governor-in-Chief is perhaps not aware that for some time past there are not more than six or seven plantations in this island owned by "absent parties," who it would seem have not shared the calamitous fate of resident proprietors—a point upon which the Board and House have yet to be convinced; hence the inference left to be drawn by the Board and House from his Excellency's observations, that these "absent parties of reputed wealth" would be the principal liquidators of the debt, and may be called upon, according to the measure of their affluence, to contribute to the annulment of a charge incurred for the whole community; but the Board and House are persuaded that his Excellency would not give his sanction to any measure of taxation which should draw a distinction between the resident and non-resident proprietors. These "absent parties," therefore, so small in number, however wealthy they may be, would not contribute to the redemption of the public faith in a greater proportion than the bulk of the resident and impoverished community.

The Board and House would endeavour to remove the "misgiving" which his Excellency declares he would feel in sanctioning the allegations contained in the message of the Board and House of the 27th ultimo, by requesting to state for his Excellency's information a fact, which

which became notorious here last July, and which of itself speaks volumes as to the depressed condition of the island in all respects.

In 1842 Mr. Paul Bellot owned a small coffee farm of 10 acres, in the parish of St. Paul, free of debt. In that year an adjoining coffee plantation of 57 acres was bought by him for 750 *l.*, for which he executed a bond. He converted the entire cultivation from coffee to sugar, for which purpose he built the necessary manufacturing appendages, thus giving additional intrinsic value to the joint properties. But his bond remained unpaid up to this year, when execution was levied, and both estates were sold judicially after 40 days' public notice. Both properties, under active cultivation, free of encumbrance, with a title in fee, were knocked down for 50 *l.*, on the 24th of July last.

The significant fact thus disclosed, which the Board and House are persuaded his Excellency's known solicitude for the prosperity of the islands committed to his jurisdiction, will lead him to deplore fully as much as the Board and House do to record it, and the results of the financial returns accompanying the message of the Board and House of the 27th ultimo, minutely verify and illustrate each other, and present, from different points of view, the same text and the same comment, a disastrous depreciation of property, and a corresponding diminution of the public revenue. The Board and House would not be sorry if Her Majesty's Government were made acquainted with a case which furnishes such eloquent and unequivocal evidence of the frightfully depreciated value of property here, and of which the essential points are matters of official record.

The Board and House would feel obliged if your Honour would communicate the particulars of this message to his Excellency the Governor-in-Chief, and would express to his Excellency the desire of the Board and House that their message of the 27th ultimo, with appended papers, may still be transmitted to the Imperial Government.

Council Chamber, 27 November 1854. (signed) *James Garraway*, Presiding.

House of Assembly, 27 November 1854. (signed) *G. L. Bellot*, Speaker.

WEST INDIES.

COPY of CORRESPONDENCE, since January 1854, by or between the Governors or Lieutenant-Governors of any of the *West India* Colonies, the Treasury, the Colonial Office, or the Commissioners for the West India Islands Relief Fund, relative to Estates in the *West Indies* indebted to Government for ADVANCES made to them by reason of LOSSES sustained by them in the HURRICANES of 1831–32.

(*Mr. Hamilton.*)

Ordered, by The House of Commons, *to be Printed*, 30 *March* 1855.

[*Price* 7 *d.*]

159.

Under 8 *oz.*

WEST INDIA ISLANDS RELIEF.

STATEMENT showing the Amount Due and Remaining to be Paid on the 31st March 1855, in respect of LOANS advanced to the Island of *Jamaica* for LOSSES by INSURRECTION; and to the Islands of *Barbados*, *St. Vincent*, *St. Lucia*, and *Dominica* for LOSSES by HURRICANES, under the Act 2 & 3 Will. 4, c. 125, and subsequent Acts; distinguishing the Amounts Unpaid on Public Loans from Amounts Unpaid on Loans to Proprietors of Estates.

	Amount Due and Remaining to be Paid on 31 March 1855.		
	£. s. d.	£. s. d.	
JAMAICA—Public Loan - - - -	212,232 6 6		
„ Loans on Estates - - -	159,037 4 5		
		371,269 10 11	
BARBADOS—Loans on Estates - - -	- - - -	154,463 7 1	
ST. VINCENT—Loans on Estates - -	- - - -	106,368 2 -	
ST. LUCIA—Loans on Estates - - -	- - - -	18,751 17 3	
DOMINICA—Public Loans - - - -	7,002 1 2		
„ Loans on Estates - - -	92,352 18 3		
		99,354 19 5	
TOTAL on 31 March 1855 - - - £.	- - - -	750,207 16 8	

G. Carter,
Accountant.

West Indian Islands Relief,
South Sea House, London,
15 May 1855.

W. W. Willink, Secretary.

WEST INDIA ISLANDS RELIEF.

STATEMENT showing the Amount Due and Remaining to be Paid on the 31st March 1855, in respect of LOANS advanced to the Island of *Jamaica* for LOSSES by INSURRECTION; and to the Islands of *Barbados*, *St. Vincent*, *St. Lucia*, and *Dominica*, for LOSSES by HURRICANES; &c.

(Presented pursuant to Act of Parliament.)

Ordered, by The House of Commons, *to be Printed,*
16 *May* 1855.

WEST INDIA ISLANDS RELIEF.

FURTHER RETURN to an Address of The Honourable The House of Commons, dated 22 February 1855;—*for*,

"COPY of all CORRESPONDENCE, since the 1st day of January 1854, by or between the Governors or Lieutenant-Governors of any of the West India Colonies, the Treasury, the Colonial Office, or the Commissioners for the West India Islands Relief Fund, relative to ESTATES in the West Indies INDEBTED to GOVERNMENT for ADVANCES made to them by reason of LOSSES sustained by them in the HURRICANES of 1831–2."

Colonial Office,
7 August 1855.

JOHN BALL.

(*Mr. Hamilton.*)

Ordered, by The House of Commons, *to be Printed,*
8 *August* 1855.

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COPY of all CORRESPONDENCE, since the 1st January 1854, by or between the Governors or Lieutenant-Governors of any of the West India Colonies, the Treasury, the Colonial Office, or the Commissioners for the West India Islands Relief Fund, relative to ESTATES in the West Indies INDEBTED to GOVERNMENT for ADVANCES made to them by reason of LOSSES sustained by them in the HURRICANES of 1831–2.

RETURN BY THE WEST INDIA RELIEF COMMISSIONERS.

— No. 1. —

COPY LETTER from *John Strettell Brickwood*, Esq., the Secretary of the West India Relief Commissioners, to the Lieutenant-Governor of Dominica.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 30 January 1854.

THE Lords Commissioners of Her Majesty's Treasury have informed the West Indian Islands Relief Commissioners that they have applied to the Secretary of State for the Colonies, to request you to re-assemble the Commissioners in Aid, in Dominica, acting under the 2d & 3d Will. 4, c. 125; and, if necessary, to nominate new Commissioners, to act with you and the Attorney-general of the island, in order to be prepared to carry out the instructions of this Board with respect to loans advanced under that Act, and charged upon estates in the island.

As a preliminary step, it has been deemed advisable to give the parties interested in the estates notice of the intended proceedings; and, as certain of the estates have no recognized agent in this country, I am directed to forward to you the enclosed letters, and to request that you will give directions for their being delivered to the parties interested in the estates to which they respectively relate.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 2. —

COPY LETTER from *J. S. Brickwood*, Esq., to the Lieutenant-Governor of St. Vincent.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 30 January 1854.

THE Lords Commissioners of Her Majesty's Treasury have informed the West Indian Islands Relief Commissioners that they have applied to the Secretary of State for the Colonies, to request you to re-assemble the Commissioners in Aid, in St. Vincent, acting under the 2d & 3d Will. 4, c. 125; and, if necessary, to nominate new Commissioners to act with you and the Attorney-general of the island, in order to be prepared to carry out the instructions of this Board with respect to loans advanced under that Act, and charged upon estates in the island.

As a preliminary step, it has been deemed advisable to give the parties interested in the estates notice of the intended proceedings; and, as certain of the estates have no recognized agent in this country, I am directed to forward to you the enclosed letters, and to request that you will give directions for their being delivered to the parties interested in the estates to which they respectively relate.

I have, &c.
(signed) *J. S. Brickwood.*

Note.—The enclosures referred to in the above letters were letters addressed to the proprietors of estates, apprising them that in default of payment of the loans with interest, it would be necessary to take proceedings upon the Crown's mortgages.

— No. 3. —

Copy LETTER from the West India Islands Relief Commissioners to the Commissioners in Aid in Barbados.

Long Bay and Pool Estates, Barbados.

To his Excellency the Governor and the other Commissioners acting in aid of the Commissioners appointed by the Statute 2 & 3 Will. 4, c. 125.—*Barbados.*

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Gentlemen, 10 February 1854.

In conformity with the provisions of the statute of the Imperial Parliament above referred to, we have the honour to request your immediate intervention on behalf of the Crown, and in furtherance of the objects for which we have been appointed, under the circumstances which we proceed to lay before you.

In the year 1832 application was made to us for a loan, in terms of the Act, by Mr. Samuel Hall Lord, and the necessary preliminaries having been gone through, a treaty was completed for a loan of 6,600 *l.*, on the security of a mortgage of four-sixths of Long Bay Estate, in the parish of St. Philip, in the island of Barbados, containing 145 acres of land or thereabouts, and of Pool Estate, in the parish of St. John, in the same island, containing 366 acres of land, or thereabouts, with the appurtenances.

A deed was accordingly executed, bearing date 6th December 1834, whereby four-sixths of the above-mentioned estates, with the appurtenances, were conveyed to his late Majesty King William the 4th, by the said Samuel Hall Lord, subject to a proviso for making the same deed void on payment of 6,600 *l.*, on or before the 6th December 1844, with interest thereon at the rate of 4 per cent. per annum, at the expiration of the third year from the date of the deed, and thenceforth annually.

In consequence of the above advance, the borrower was enabled to resume the cultivation of the estates, and for several years from the date of the mortgage the interest was paid.

The whole of the principal sum of 6,600 *l.*, with interest thereon, at 4 per cent. per annum, from the 6th December 1852, is now in arrear, and unpaid, notwithstanding repeated applications have been made to the agents in England of the parties interested in the estates for payment.

In answer to our application for payment, we have been informed that the agents have no funds in hand to discharge even the interest due in December last, and that they are not aware of any source likely to be available for payment of principal or interest.

We therefore feel ourselves called upon on the part of the Crown to enforce the remedies provided by our Acts of Parliament for raising the principal and interest by a sale of the property comprised in the mortgage.

It is for the purpose of proceeding to a sale of the property in question in the most prompt and effective manner that we have now to request your interference and assistance, under the authority of the statute by which we are constituted, and in so doing we beg leave to call your attention to the ninth section of that Act,

which provides for the constitution of Commissioners in the several islands "to act in aid of the Commissioners under the Act in all such cases, and in relation to all matters and things which should be referred to them by the Commissioners named in that Act."

In pursuance of the clause above cited, and in virtue of all other powers giving us authority in this respect, we do therefore hereby refer to you the case of the loan granted as before mentioned to Mr. Samuel Hall Lord, for the purpose of your taking immediate steps for effecting an absolute sale of the four-sixths of the premises comprised in the said mortgage, or a competent part thereof, and such other proceedings as may be found requisite to raise such sum as shall be sufficient to repay the moneys due in respect of the loan, and the interest thereof, and all costs and charges attending the proceedings.

We forward herewith the deposition of Mr. Lord in support of the application for the loan, and the following deeds and papers:—

8 October 1799.—Certified Copy of the Will of John Lord.
25 November 1834.—Affidavit of John White, Esq., in support of title to Long Bay Estate.
22 June 1813.—Indenture of Sale from the Honourable Thomas Græme to John Thomas Lord and Samuel Hall Lord, of the Pool Estate.
4 and 5 December 1834.—Indentures of Lease and Release, and Reconveyance from Jonathan Blenman, Esq, devisee and executor of said Thomas Græme, to said Samuel Hall Lord, and Miss Frances Lord.
20 and 21 February 1817.—Indenture of Lease and Release from said Samuel Hall Lord to Elizabeth Sarsfield Lord.
8 April 1818.—Certified Copy of the Will of John Thomas Lord.
7 July 1834.—Indenture of Lease and Reconveyance from said Elizabeth Sarsfield Lord to said Samuel Hall Lord.
19 November 1834.—Affidavit of Richard Boucher Callendar in support of title.
5 and 6 December 1834.—Indentures of Lease and Release, and Mortgage from said Samuel Hall Lord to his late Majesty King William the 4th, for securing 6,600 *l.*, and interest at 4 per cent.
15 July 1835.—Assent of Mrs. Sarah Lord to the loan of 6,600 *l.*, and to the securities taking priority of her charges.

We also send the declaration of Mr. Brickwood, our secretary, made before the lord mayor, and authenticated by his seal of office, setting forth a description of the property comprised in the mortgage, and stating the amount of principal and interest due thereon.

We have, &c.
(signed) *John Labouchere,*
F. Goulburn,
Benj. Harrison.

— No. 4. —

COPY LETTER from same to same.

Long Bay and Pool Estates, Barbados.

(Private and Confidential.)

To his Excellency the Governor and the other Commissioners acting in Aid of the Commissioners appointed by the Statute 2 & 3 Will. 4, c. 125.—*Barbados.*

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Gentlemen, 10 February 1854.

IN reference to our letter of this day's date, transmitted herewith, we have further to request your attention to the following observations, which are intended for your private consideration.

In the first place, with a view to the sale contemplated by the above letter, we beg to call your attention to the 49th section of the Act, whereby it is enacted, that if any default should be made in the repayment of all or any part of such loan or advance for which any such mortgage should be accepted or taken by the said Commissioners as a security (but not otherwise), the said Commissioners, or

their attorneys or attorney, to be appointed for that purpose by the proper proceedings in the said islands, upon judgment to be entered up, should take possession of all or any parts or part of the mortgaged premises, and by a sale or mortgage of the same, or a competent part thereof, should raise such sum or sums as should be sufficient to repay all moneys due in respect of such loan or advance, and all costs and charges attending such proceedings.

In preparing to carry into execution the power of sale thus given by the Act, a question has arisen as to its proper application to the peculiar form of our mortgages.

We have no doubt that it was the intention of the clause in question to confer a summary power of sale, and to render unnecessary suits in the island for foreclosures and sales.

But it will be observed that the sales under the clause are directed to be made after possession taken, on a judgment to be entered up in the island, and therefore, inasmuch as the mortgages executed for securing loans granted by us contain no covenant for payment of the money borrowed, we are advised that an information of debt, or any other proceeding for the money due to the Crown, could not be sustained against the borrower.

It would also appear that the powers of the Commissioners in proceeding to a sale of the mortgaged premises are further confirmed and extended by the 21st section of the Act, whereby it is enacted, that all mortgages, assignments, &c., to be made as therein mentioned, should be good and effectual in the law, and should be of the same quality, force and effect, to all intents and purposes, as any obligation made to our Sovereign Lord the then King, or his predecessors, or any of them, had at any time theretofore been, or then was adjudged, received, or taken to be.

Having taken the opinion of counsel for our guidance under the circumstances above stated, we are advised that, in order to take possession of the mortgaged premises by proper proceeding in the island upon judgment to be entered up, an information of intrusion should be filed by the Attorney-general in the name and on behalf of the Crown, against the person in possession, and judgment obtained thereon.

In support of this advice, we have been referred to Savile's Reports, 35, (Case 88); Friend *v.* the Duke of Richmond, Hardress's Reports, p. 460; and 5 Bacon's Abridgment, 566, 567, title Prerogative.

We beg leave to submit the course of proceeding thus pointed out to your judgment, and if on consideration thereof, in conjunction with the law officers in the island, you should be of opinion that it is, under the circumstances, the course proper to be pursued for the purpose in question, we have to request that the necessary proceedings may be commenced with as little delay as possible.

We beg also to call your attention to the Act 8 & 9 Vict. c. 50, whereby a power of sale is given without judgment upon three months' notice being inserted in the "London Gazette," and in the colonial newspapers after possession has been taken, but possibly the course above mentioned will be attended with less delay and difficulty than giving the notices required by this Act.

In several cases in the island of Jamaica, the course advised as above stated, under the first Act, has been pursued without any difficulty or objection, and possession has been obtained, and sales effected with great expedition and inconsiderable expense.

In acting upon these suggestions, we have no doubt that you will concur with us in opinion, that after possession has been taken, the property should be sold by public auction with all practicable despatch, so that the risk and expense of holding possession may be limited as much as possible, and that a short date should be fixed for the completion of the purchase.

We beg further to suggest that the sale so to be made, should take place under the following conditions, in addition to such others as you may consider necessary:—

That all damage which shall happen to the property subsequently to the sale, shall be borne by the purchaser.

That the purchaser shall accept the title as to all the premises, as commencing with the mortgage to his late Majesty, dated 6 December 1834, and as depending on the same, and the judgment upon the information of intrusion (if that course be pursued) and the powers and provisions of the Acts of Parliament, authorising the advance of the loans, and that the purchaser

chaser shall not be entitled to any further or other title, nor to raise any question thereon, or objection thereto.

That the purchaser shall not question the right to sell under the conditions stipulated.

That on completion of the purchase, the mortgage to his late Majesty and such of the muniments of the mortgagor's title as are in the possession of the Commissioners, will be delivered to the purchaser, but that the title will not be verified in any other manner.

We have, &c.
(signed) *John Labouchere*,
F. Goulburn,
Benj. Harrison.

— No. 5. —

Copy LETTER from Sir *Charles E. Trevelyan*, K.C.B., to West India Relief Commissioners.

Gentlemen, Treasury Chambers, 13 February 1854.

I am commanded by the Lords Commissioners of Her Majesty's Treasury to transmit, for your information, copy of despatches received from the Governor-in-chief of the Windward Islands, respecting the loans granted to the islands of Barbados and St. Lucia, and I am to desire that you will report to my Lords from time to time the progress of the measures for the recovery of these loans, as well as those to the islands of Jamaica, St. Vincent, and Dominica, under the same Act, 2 & 3 Will. 4, c. 125.

I am, &c.
(signed) *C. E. Trevelyan.*

— No. 6. —

Copy LETTER from the Secretary of the Commissioners to *James Wilson*, Esq., M.P.

Richmond Estate, St. Vincent, Patrick Cruikshank, Esq., £. 8,150.
Belle Vue Estate, St. Vincent, Archibald Gerard, Esq. - 1,700.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 14 February 1854.

In compliance with your request of the 11th instant, I enclose copies of two letters addressed to Patrick Cruikshank, esq., as the proprietor of Richmond Estate, and as the agent of Mr. Archibald Gerard, the proprietor of Belle Vue Estate, in the island of St. Vincent.

As to the complaint in Mr. Gerard's letter, of 6th instant, to the Chancellor of the Exchequer, "That we should be called upon in so peremptory a manner to pay up our debt, without even being allowed time to consider what course to follow," a notice has been annually sent to him (and every other borrower), stating the amount of interest and principal coming due, and demanding payment thereof. Mr. Gerard has had about 20 such annual notices and demands for payments, the last 10 of which have produced no apparent result.

The enclosed copies of letters will show that the borrowers are not now called upon in a peremptory manner to pay up, but that an arrangement be made for payment.

In consequence of these letters, Mr. Cruikshank called at this office on the 24th January, and requested until the 13th instant to enable him to ascertain if any of his friends would render him assistance sufficient to enable him to make an arrangement for liquidation of the loan on Richmond Estate; and he made a similar request with reference to the loan on Belle Vue, to enable him to communicate with the proprietor, who was represented to be either in Scotland or in France.

These requests were immediately granted.

As to compounding, it was fully explained to Mr. Cruikshank by me, and by Mr. Barnes, the Board's solicitor, that if any of the estates in St. Vincent, upon

which loans had been advanced, could be proved to be of less value than the principal and interest due on the Crown mortgages, the Commissioners would be ready to consider proposals for compounding such loans, under the provisions of the 8 & 9 Vict. c. 50, s. 3.

I observe that the memorial to the Chancellor of the Exchequer is not only signed by Mr. Cruikshank and Mr. Gerard, but also by Mr. Neilson and Mr. Paull, both of whom have applied for time to consult their correspondents, which requests were granted; and as Mr. Paull represented that his principals were abroad, he was allowed until the 1st May next; and in all cases where a request has been made for time to that date it has been granted.

I have further to remark, that I have been informed Mr. Cruikshank very recently purchased from his assignees his own life interest in the Richmond Estate, subject to the Crown mortgage and other incumbrances, for 100 *l.*, showing, it is presumed, that in his opinion the property was of greater value than the debts charged thereon.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

Enclosure 1, in No. 6.

Richmond and Dalvey Estates, St. Vincent.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
20 January 1854.

Sir,

In March 1833, the West Indian Islands Relief Commissioners advanced 8,150 *l.* upon security of Richmond and Dalvey Estates, in the parish of St. David, St. Vincent.

By the terms of the mortgage, the principal was repayable on 19th March 1843, but the time for repayment was subsequently extended by the Commissioners and by Act of Parliament, and the principal sum of 4,075 *l.* became due on 14th August 1853.

This sum is still in arrear, with interest on 8,150 *l.* at 4 per cent. from 19th March 1845, and, upon consideration of the circumstances, the Commissioners require the immediate payment of the interest, and the whole, or a considerable portion, of the principal in arrear, and an arrangement to be made to their satisfaction for the discharge of the portion of the arrear (if any) remaining unpaid.

In default of payment and arrangement, the property comprised in the Crown mortgage will be brought to sale.

Should you be desirous of making any proposal on this subject, I request it may be communicated to me before the 30th instant.

I am, &c.
(signed) *J. S. Brickwood*, Secretary.

P. Cruikshank, Esq.,
11, Great St. Helen's.

Enclosure 2, in No. 6.

Belle Vue Estate, St. Vincent.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
20 January 1854.

Sir,

In September 1853, the West Indian Islands Relief Commissioners advanced 1,700 *l.*, upon security of Belle Vue Estate, in Charlotte Parish, St. Vincent.

The whole of the principal sum of 1,700 *l.*, with interest thereon at 4 per cent. from 22d September 1844, is in arrear, and, upon consideration of the circumstances, the Commissioners require an immediate arrangement to be made for payment of the principal and interest secured by the Crown mortgage.

If, therefore, the interest in arrear be not forthwith paid, together with the whole or a portion of the principal, and an arrangement made to the Commissioners' satisfaction for the discharge of the portion (if any) which may remain unpaid by annual instalments, with the accruing interest, within the time limited by the Acts of Parliament relating thereto (viz., 25 years from the advance of the loan), the property comprised in the Crown mortgage will be brought to sale.

Should you be desirous of making any proposal on this subject, I request it may be communicated to me before the 30th instant.

I am, &c.
(signed) *J. S. Brickwood*, Secretary.

P. Cruikshank, Esq.
11, Great St. Helen's.

— No. 7. —

COPY LETTER from *James Wilson*, Esq., M.P., to the West India Relief Commissioners.

My Lords and Gentlemen, Treasury Chambers, 10 Feb. 1854.

I AM commanded by the Lords Commissioners of Her Majesty's Treasury, to request that you will suspend your communication to St. Vincent in regard to the Hurricane Loan, until you shall hear further from my Lords on the subject.

I remain, &c.
(signed) *James Wilson.*

— No. 8. —

COPY LETTER from the West India Relief Commissioners to the Commissioners in Aid in Dominica.

Geneva and Nelson's Rest Estates, Dominica.

To the Lieutenant-Governor and the other Commissioners acting in Aid of the Commissioners appointed by the Statute 2 & 3 Will. 4, c. 125.—*Dominica.*
West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Gentlemen, 18 February 1854.

IN conformity with the provisions of the statute of the Imperial Parliament above referred to, we have the honour to request your immediate intervention on behalf of the Crown, and in furtherance of the objects for which we have been appointed under the circumstances which we proceed to lay before you.

In the year 1836 application was made to us for a loan in terms of the Act, by Mr. James Potter Lockhart, and the necessary preliminaries having been gone through, a treaty was completed for a loan of 5,000*l.* on the security of a mortgage of Geneva Estate, in the parish of St. Patrick, in the island of Dominica, containing 1,213 acres and 8 perches of land, or thereabouts; and of Nelson's Rest Estate, in the same parish, containing 337 acres, 2 roods, and 14 perches of land, or thereabouts, with the appurtenances.

A deed was accordingly executed, bearing date 5th January 1837, whereby the above-mentioned estates, with the appurtenances, were conveyed to his late Majesty King William the Fourth by the said James Potter Lockhart, subject to a proviso for making the same deed void on payment of 5,000 *l.* on or before the 5th January 1847, with interest thereon, at the rate of four per cent. per annum at the expiration of the third year from the date of the deed, and thenceforth annually.

In consequence of the above advance, the borrower was enabled to resume the cultivation of the estates, and for several years from the date of the mortgage the interest was paid.

The whole of the principal sum of 5,000 *l.*, with interest thereon at four per cent. per annum from the 5th January 1842, is now in arrear and unpaid, notwithstanding repeated applications have been made to the parties interested in the estates for payment, and no arrangement has been proposed for the gradual liquidation of the loan or otherwise.

We therefore feel ourselves called upon on the part of the Crown to enforce the remedies provided by our Acts of Parliament for raising the principal and interest by a sale of the property comprised in the mortgage.

It is for the purpose of proceeding to a sale of the property in question in the most prompt and effective manner, that we have now to request your interference and assistance under the authority of the statute by which we are constituted, and in so doing we beg to call your attention to the 9th section of the Act 2 & 3 Will. 4, c. 125, and the 7th section of the Act 5 & 6 Will. 4, c. 51, which provide for the constitution of Commissioners in the several islands, "to act in aid of the Commissioners under the Act in all such cases, and in relation to all matters and things which should be referred to them by the Commissioners named in the first-mentioned Act."

In pursuance of the clauses above referred to, and in virtue of all other powers giving us authority in this respect, we do hereby refer to you the case of the loan

granted as before mentioned to Mr. James Potter Lockhart, for the purpose of your taking immediate steps for effecting an absolute sale of the premises comprised in the said mortgage, or of a competent part thereof, and such other proceedings as may be found requisite to raise such sum as shall be sufficient to repay the moneys due in respect of the loan, and the interest thereof, and all costs and charges attending the proceedings.

We forward herewith the depositions of Mr. Lockhart in support of the application for the loan, and the following deeds and papers :—

12 December 1775.—Indenture of Release from Sir James Cockburn and others to Joshua Smith, esq., and others.

24 April 1790.—Indenture of Conveyance from George Bruce, esq., deputy provost-marshal to William Pagan, esq.

20 and 21 June 1791.—Indentures of Lease and Release, and Conveyance, from said Joshua Smith and others to Messrs. Campbell, Addison and Pagan upon trust.

2 and 3 May 1816.—Indentures of Lease, and appointment of new Trustees, conveyance, and assignment from Messrs. Addison and Pagan to Frederick Richard Coore, esq., to the use of Thomas Pagan and Patrick Hart, esqrs.

21 December 1819.—Articles of Agreement between Messrs. Pagan and Hart and Charles Bertrand.

2 July 1821.—Indentures of Assignment from John Peter D'Anglebermes and Wife to said James Potter Lockhart.

12 November 1823.—Power of Attorney from Archibald James Campbell, esq., to Mr. George Bedford, to execute the Indentures next mentioned.

3 and 4 December 1823.—Indentures of Lease and Release from Messrs. Pagan, Hart, and others to said James Potter Lockhart.

10 December 1810.—
17 June 1822 - - -
4 March 1824 - -
} Official copies of Orders in Chancery in Dominica in a suit "Trecothick *v.* Smith and Others," relating to said Estate.

14 and 15 January 1829.—Indentures of Lease and Conveyance from William Pagan, esq., by direction of said James Potter Lockhart to Messrs. Dalrymple and Garraway, for securing 3,704 *l.* 11 *d.*, and Interest.

5 and 6 February 1830.—Indentures of Lease and Reconveyance from Messrs. Dalrymple and Garraway to said James Potter Lockhart.

6 April 1836.—Power of Attorney from said James Potter Lockhart to said William King to execute the Securities for the Loan and Interest.

4 and 5 January 1837.—Indentures of Lease and Release, and Mortgage from said James Potter Lockhart to his Majesty for securing 5,000 *l.*, and interest at four per cent.

24 and 25 February 1837.—Indentures of Lease and Confirmation by said James Potter Lockhart of the last-mentioned Indentures, and endorsed upon the Mortgage of 5 January 1837.

5 January 1837.—Deed of Assent of one of the Incumbrancers against Geneva and Nelson's Rest Estates, consenting to the Securities for Loan taking priority of his charge.

We also send the declaration of Mr. Brickwood, our secretary, made before the Lord Mayor, and authenticated by his seal of office, setting forth a description of the property comprised in the mortgage, and stating the amount of principal and interest due thereon.

We have, &c.
(signed) *Benj. Harrison,*
John Labouchere,
F. Goulburn.

— No. 9. —

Copy LETTER from same to same.

Geneva and Nelson's Rest Estates, Dominica.

(Private and Confidential).

To the Lieutenant-Governor and the other Commissioners acting in Aid of the Commissioners appointed by the Statute 2 & 3 Will. 4, c. 125.—*Dominica.*

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Gentlemen, 18 February 1854.

In reference to our letter of this day's date, transmitted herewith, we have further to request your attention to the following observations, which are intended for your private consideration.

In

In the first place, with a view to the sale contemplated by the above letter, we beg to call your attention to the 49th section of the Act, whereby it is enacted that if any default should be made in the repayment of all or any part of such loan or advance for which any such mortgage should be accepted or taken by the said Commissioners as a security (but not otherwise) the said Commissioners, or their attorneys or attorney to be appointed for that purpose by the proper proceedings in the said island, upon judgment to be entered up, should take possession of all or any parts or part of the mortgaged premises, and by a sale or mortgage of the same, or a competent part thereof, should raise such sum or sums as should be sufficient to repay all moneys due in respect of such loan or advance, and all costs and charges attending the proceedings.

In preparing to carry into execution the power of sale thus given by the Act, a question has arisen as to its proper application to the peculiar form of our mortgages.

We have no doubt that it was the intention of the clause in question to confer a summary power of sale, and to render unnecessary suits in the island for foreclosures and sales.

But it will be observed, that the sales under the clause are directed to be made after possession taken on a judgment to be entered up in the island, and therefore, inasmuch as the mortgages executed for securing loans granted by us contain no covenant for payment of the money borrowed, we are advised that an information of debt or any other proceeding for the money due to the Crown could not be sustained against the borrower.

It would also appear that the powers of the Commissioners in proceeding to a sale of the mortgaged premises are further confirmed and extended by the 21st section of the Act, whereby it is enacted that all mortgages, assignments, &c. to be made as therein mentioned, should be good and effectual in the law, and should be of the same quality, force, and effect to all intents and purposes as any obligation made to our Sovereign Lord the then King, or his predecessors, or any of them, had at any time theretofore been, or then was adjudged, received or taken to be.

Having taken the opinion of counsel for our guidance under the circumstances above stated, we are advised that, in order to take possession of the mortgaged premises by proper proceedings in the island, upon judgment to be entered up, an information of intrusion should be filed by the Attorney-general in the name and on behalf of the Crown against the person in possession, and judgment obtained thereon.

In support of this advice, we have been referred to Savile's Reports, 35 (Case 88); Friend and the Duke of Richmond; Hardress's Reports, p. 460; and 5 Bacon's Abridgment, 566, 567, title Prerogative.

We beg leave to submit the course of proceeding thus pointed out to your judgment, and if on consideration thereof, in conjunction with the law officers in the island, you should be of opinion that it is, under the circumstances, the course proper to be pursued for the purpose in question, we have to request that the necessary proceedings may be commenced with as little delay as possible.

We beg also to call your attention to the Act 8 & 9 Vict. c. 50, whereby a power of sale is given without judgment, upon three months' notice being inserted in the "London Gazette," and in the colonial newspapers, after possession has been taken; but possibly the course above-mentioned will be attended with less delay and difficulty than giving the notices required by this Act.

In several cases in the island of Jamaica the course advised as above stated under the first Act has been pursued without any difficulty or objection, and possession has been obtained and sales effected with great expedition and at inconsiderable expense.

In acting upon these suggestions, we have no doubt but that you will concur with us in opinion, that after possession has been taken, the property should be sold by public auction with all practicable despatch, so that the risk and expense of holding possession may be limited as much as possible, and that a short date should be fixed for the completion of the purchase.

We beg further to suggest that the sale so to be made should take place under the following conditions, in addition to such others as you may consider necessary:—

That all damage which shall happen to the property subsequently to the sale shall be borne by the purchaser.

That the purchaser shall accept the title as to all the premises as commencing with the mortgage to his late Majesty, dated 5th January 1837, and as depending on the same, and the judgment upon the information of intrusion (if that course be pursued), and the powers and provisions of the Acts of Parliament authorizing the advance of the loans, and that the purchaser shall not be entitled to any further or other title, nor to raise any question thereon, or objection thereto.

That the purchasers shall not question the right to sell under the conditions stipulated.

That on completion of the purchase, the mortgage to his late Majesty, and such of the muniments of the mortgagor's title as are in the possession of the Commissioners, will be delivered to the purchaser, but that the title will not be verified in any other manner.

We have, &c.
(signed) *Benj. Harrison,*
John Labouchere,
F. Goulburn.

— No. 10. —

Copy LETTER from *James Wilson*, Esq., M. P., to the West India Relief Commissioners.

Gentlemen, Treasury Chambers, 25 February 1854.

With reference to your report of the 14th inst., on an application from Mr. P. Cruikshank and others, for relief in regard to the St. Vincent loans, I am commanded by the Lords Commissioners of Her Majesty's Treasury to transmit, for your information and guidance, copy of their Lordships' Minute of the 21st inst. upon the subject.

I am, &c.
(signed) *James Wilson.*

The West Indian Relief Commissioners.

Enclosure in No. 10.

21 February 1854.—Treasury Minute.

Acquaint Mr. Cruikshank that, with every consideration for the distressed state of the West India Islands as represented in these papers, my Lords cannot accede to the proposal contained in his letter of the 9th of February.

Their Lordships are, however, prepared to act upon the authority given them by the Act 8 & 9 Vict. c. 50, and to accept a composition equivalent to the present value of the property for the loans in St. Vincent, in all cases in which it can be proved to the satisfaction of the Loan Commissioners, that the value of each estate, if offered for sale, is less than the amount of principal and interest now due upon each loan.

In the absence of such proof, their Lordships consider themselves bound to enforce the payment of the whole sum due for principal and interest, according to the intimation he has already received from the Loan Commissioners.

Their Lordships observe, that the notices so received have been partly misunderstood, inasmuch as the Commissioners have not required the immediate payment of the whole debt, but the immediate payment of the interest due, with a considerable portion of the principal in arrear; and an arrangement to be made to their satisfaction for the discharge of the remainder within the period prescribed by the Act of Parliament.

Their Lordships are desirous of not pressing unnecessarily upon the memorialists in the enforcement of the demand which they feel it their duty to make on behalf of the public, and they will not object to allow sufficient time for the memorialists to communicate with St. Vincent, if necessary.

With this view, they will instruct the Loan Commissioners to postpone further proceedings for the sale of the estates until the 10th of May next, provided it be intimated to the Commissioners before the 1st of March, that the parties find it needful to communicate with their principals in the island, in order to make proper arrangements for the discharge of the debt.

— No. 11. —

Copy LETTER from the West India Relief Commissioners to the Commissioners in Aid in Dominica.

Birmingham Hill Estate, Dominica.

To the Lieutenant-Governor and the other Commissioners acting in Aid of the Commissioners appointed by the Statute 2 & 3 Will. 4, c. 125.—*Dominica.*

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Gentlemen, 1 March 1854.

In July 1836, the West Indian Islands Relief Commissioners advanced 1,000 *l.* upon security of Birmingham Hill Estate, Dominica.

The whole of the principal sum of 1,000 *l.*, with interest thereon at 4 per cent., from the 15th July 1844, (less 20 *l.* paid on account), is in arrear.

The Commissioners have recently apprised the party interested that they require an immediate arrangement to be made for settlement of the Crown's claims either by a sale of the property comprised in the mortgage, or by compounding the claim under the provisions of the Act 8 & 9 Vict. c. 50.

It is very probable that some proposal for compromise may be made, or y default thereof that instructions may be given to you to institute the necessar proceedings for taking possession of the property, preparatory to offering it for sale by public auction, and therefore this Board request to be furnished with your Report upon the following points:—

1. The present net value of the property comprised in the Crown mortgage, if offered for sale by public auction, less the expenses prior to and incident upon such sale.

2. The probability of a purchaser or purchasers being forthcoming, at the estimated price, for all or any portion of the property.

3. The expediency of proceeding to an immediate sale of the whole or any, and what portion of the property, or otherwise, and the grounds upon which such opinion is based.

The following is a description of the property comprised in the Crown's mortgage:—

"All that certain sugar plantation or estate, situate, lying and being in the parish of St. Peter, in the said Island of Dominica, heretofore called and well known by the name of Dublanc Estate, but now called or known by the name of Birmingham Hill Estate, containing by estimation 300 acres of land, or thereabouts, and consisting of the several pieces or parcels of land after mentioned, and after particularly described, with other lands contiguous thereto, that is to say, one certain lot, piece or parcel situate, lying and being in the said parish of St. Peter, containing 30 acres, or thereabouts, bounding Northwesterly by the Ravine Amadis, Northeasterly on unappropriated land, Easterly on land granted to Jean Rocques, and Southwesterly on land reserved for public uses next the sea. One other lot, piece or parcel of land containing 30 acres, or thereabouts, situate, lying and being in the said parish of St. Peter, bounding Northwesterly on land granted to Jean Rocques, Northeasterly on land purchased by Gilbert Beautour, Southeasterly partly on the River Dublanc, partly on land possessed by Nicholas Houlche, and partly on an impracticable precipice.

"One other piece or parcel of land, situate, lying and being in the said parish of St. Peter, containing 30 acres, or therabouts, bounding South on the River Dublanc, Southeasterly on land granted to the said Gilbert Beautour, Northeasterly on land purchased by the said Gilbert Beautour, and Northwesterly on unappropriated land.

"Two other pieces or parcels situate, lying and being in the said parish of St. Peter, containing in the whole 60 acres, or thereabouts, bounding Northwesterly on Morne Hispaniole, Northerly on a Gullet, Southeasterly and Easterly on the high road bounding the estate of the said Gilbert Beautour, Southeasterly and Southwesterly on land the property of the said Jean Rocques, and Westerly on the King's Three Chains, reserved for public uses, next the sea.

"One other piece or parcel situate, lying and being in the said parish of St. Peter, containing 50 acres, or thereabouts, bounding Northerly on land granted to the heirs of Bryne, Southerly on land of the said Jean Rocques, and Westerly on the sea; and one other piece or parcel situate, lying and being in the said parish of St. Peter, containing 9 acres, or thereabouts, being in the King's Three Chains next the sea, bounding Northeasterly on land granted to Jean Pierre Gilbert Beautour, Southeasterly on Dublanc village, Southwesterly on the sea, and Northwesterly on a ravine at Amadis Creek, or howsoever otherwise the said several pieces or parcels of land may now respectively be butted and bounded, situate, lying and being, or by whatsoever other name or names, description or descriptions, the said plantation or estate of Birmingham Hill (late Dublanc), lands, tenements and hereditaments, or any of them, now are or is, or heretofore were, or have been called, known or distinguished, and all other the lands and hereditaments comprised in, and conveyed or intended to be conveyed, by Indentures of the 12th and 13th days of January 1831."

And all messuages, live and dead stock, &c.

We have, &c.

(signed) *Benj. Harrison.*
A. Y. Spearman.
F. Goulburn.

— No. 12. —

Copy LETTER from same to same.

Hampstead Estate, Dominica.

To the Lieutenant-Governor and the other Commissioners acting in Aid of the Commissioners appointed by the Statute 2 & 3 Will. 4, c. 125.—*Dominica.*

West India Islands Relief.

Public Works Loan Office, South Sea House, London,

Gentlemen, 1 March 1854.

In the year 1838 application was made to us for a loan in terms of the Act above referred to, and the Act 5 & 6 Will. 4, c. 51, by Mr. John Constable, as mortgagee in possession, and the necessary preliminaries having been gone through, a treaty was completed for a loan of 3,000 *l.* on the security of a mortgage of Hampstead Plantation, in the parish of St. Andrew, in the island of Dominica, containing 300 acres, or thereabouts, with the appurtenances.

A deed was accordingly executed, bearing date the 8th July 1839, whereby the plantation and lands, with the appurtenances, were conveyed to Her Majesty Queen Victoria by the said John Constable, subject to a proviso for making the same deed void on payment of 3,000 *l.* on or before the 8th July 1849, with interest thereon at the rate of 4 per cent. at the expiration of the third year from the date of the deed, and thenceforth annually.

Mr. Alexander Robinson, who was a trustee of an outstanding legal estate, Mr. Charles Court, who was entitled to the equity of redemption, and Mr. Thomas William Doyle, a trustee appointed by Mr. Constable, all then residing in Dominica, were made parties to the security; but before the deed arrived in that island, Mr. Robinson and Mr. Court died.

Mr. Court's interest in the estate subsequently became vested in Mr. Constable and the Rev. William John Burford, and in April 1842 the necessary deed was executed by them and the other proper parties, for securing the sum of 3,000 *l.* at the times and in the manner specified in the deed of 8th July 1839, before referred to.

The whole of the principal sum of 3,000 *l.*, with interest thereon at 4 per cent. from 8th July 1844, is in arrear and unpaid, notwithstanding repeated applications have been made for payment, nor has any arrangement been proposed for the gradual liquidation of the loan, or otherwise.

We therefore feel ourselves called upon, on behalf of the Crown, to enforce the remedies provided by our Acts of Parliament for raising the principal and interest by a sale of the property comprised in the mortgage.

It is for the purpose of proceeding to a sale of the property in question, in the most prompt and efficient manner, that we have now to request your interference

and assistance, under the authority of the statute by which we are constituted, and in so doing, we beg leave to draw your attention to the 9th section of the Act 2 & 3 Will. 4, c. 125, and the 7th section of the Act 5 & 6 Will. 4, c. 51, which provide for the constitution of Commissioners in the several islands, to act in aid of the Commissioners under the Acts in all such cases, and in relation to all matters and things which should be referred to them by the Commissioners named in the first-mentioned Act.

In pursuance of these clauses, and in virtue of all other powers giving us authority in this respect, we do hereby refer to you the case of the loan granted, as before mentioned, to the said John Constable, for the purpose of your taking immediate steps for effecting an absolute sale of the premises comprised in the said mortgage, or of a competent part thereof; and such other proceedings as may be found requisite, in order to raise such sum as shall be sufficient to repay the moneys due in respect of the loan, and interest thereon, and all costs and charges attending the proceedings.

Our letter to you of the 18th February last contains so fully our observations on the course we are advised should be pursued in cases like the present, and our suggestions as to the conditions of sale, and other points for your consideration, that it is now only necessary to refer you thereto.

We forward herewith the depositions of Mr. Constable in support of the application for the loan, and the following deeds and papers :—

11 and 12 April 1825.—Indentures of Lease and Release from Richard Hooton, esq., and others, to Edward Dowdy and Alexander Robinson, of the Hampstead Estate, in trust.

5 June 1826.—Indenture of Assignment from James Potter Lockhart to Charles Court.

5 May 1831.—Indenture of Assignment, by way of Mortgage, from said Charles Court and John Constable to Charles Quayle Constable.

5 May 1831.—Deed Poll, endorsed on last-mentioned deed, under the hand and seal of said Charles Quayle Constable.

15 April 1834.—Articles of Agreement between said Charles Court and others, and Faur, Mourillon and others.

6 and 8 July 1839.—Indentures of Lease and Release and Mortagage from said John Constable and others to Her Majesty, for securing 3,000 *l.*, and Interest at 4 per cent.

18 December 1830.—Certified copy of the Will of François Valery Mourillon.

28 September 1838.—
28 September 1838.—
23 September 1839.— } Certified copy of the Will and Codicils of Charles Court, esq.

2 May 1840.—Conveyance and Assignment from John John Court to George Constable, esq., of Mr. Court's interest in the real and personal Estate of said Charles Court, deceased, upon trust.

17 and 18 February 1841.—Indentures of Lease and Release from James Robinson, esq., and others to John Court Burford, esq., of the Hampstead Estate, upon trust.

18 and 19 April 1842.—Indentures of Lease and Release and Mortgage from the Rev. Dr. Burford and John Constable, esq., to Her Majesty, for securing the Loan of 3,000 *l.* advanced in July 1839, with Interest at 4 per cent.

We also send the declaration of Mr. Brickwood, our secretary, made before the Lord Mayor, and authenticated by his seal of office, setting forth a description of the property comprised in the mortgage, and stating the amount of principal due thereon.

We have, &c.
(signed) *Benj. Harrison,*
A. Y. Spearman,
F. Goulburn.

— No. 13. —

COPY LETTER from *T. W. Creaser*, Esq., St. Vincent, to *J. S. Brickwood*, Esq.

St. Vincent, Government House,
Sir, 26 March 1854.

I AM desired by his Excellency the Lieutenant-governor to acknowledge receipt of your letter of the 30th January, in reference to the intention of Her Majesty's Government to call in the loans advanced for the relief of certain estates here, under the 2 & 3 Will. 4, c. 125.

The Lieutenant-governor has placed himself in communication with Her Majesty's Government on that subject, but meantime he considers it right to make

you aware that there are no "Commissioners in Aid" whom he can reassemble at "St. Vincent," and that it will be necessary entirely to reconstitute such Board.

There is, moreover, no official information whatever accessible to the Lieutenant-governor, either as to the number or names of the estates indebted to the Imperial Treasury, or the amount respectively owed by each. Obviously it is desirable that his Excellency should receive such information without delay.

The letters forwarded by you to the care of the Lieutenant-governor for parties in this island have been delivered, and his Excellency is quite ready to assist by every means in his power in giving effect to any measures concerning the indebted estates, whether recommended to him directly by the Secretary of State, or through yourself, as Secretary West India Islands Relief Commissioners.

I have, &c.
(signed) *Thomas W. Creaser*,
Private Secretary.

— No. 14. —

Copy LETTER from *George Nelson Taylor*, Esq., the Secretary of the Commissioners in Aid in Barbados, to *J. S. Brickwood*, Esq.

West India Islands Relief.

Sir, Barbados, 27 March 1854.

Your letter of the 1st instant, with its enclosures (three letters), came duly to hand, and I have forwarded the letters to the proper parties.

Mr. Thomas Ellis has purchased Lion Castle Estate from Mr. John Thomas Ellis; this is the only alteration of property as regards the three estates mentioned in your letter.

A meeting of the Commissioners in Aid was held on the 25th instant, when the Hon. John Henry Nurse and the Hon. Grant Ellcock Thomas, Members of Council, and the Hon. Charles Packer, acting Attorney-general, were sworn in by the Governor, he having previously taken the oath required by the 9th section of the 2 & 3 Will. 4, c. 125, before the chief judge.

Two letters addressed by the Commissioners in Aid to the Commissioners, in reply to their communications of the 10th February, will be forwarded in the Governor's bag.

I enclose you a letter from Mr. Joseph Belgrave, which he has requested me to forward.

I am, &c.
(signed) *Geo. N. Taylor.*

Note.— The three letters referred to were addressed to proprietors of estates.

— No. 15. —

Copy LETTER from *J. S. Brickwood*, Esq., to the Commissioners in Aid in Dominica.

Hampstead Estate, Dominica.

To the Lieutenant-Governor and the other Commissioners acting in Aid of the Commissioners appointed by the Statute 2 & 3 Will. 4, c. 125.—*Dominica.*

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Gentlemen, 15 April 1854.

I am directed with reference to this Board's letter to you of the 1st March last relating to the above-named estate, to inform you, that since that letter was despatched, an offer has been made to compound the Board's claim on payment of 800 *l.*, in full discharge of the principal and interest on the Crown's mortgage.

In the event of the estate not having been sold in pursuance of this Board's instructions, and if you should be of opinion that the sum offered to compound the

the claim is fair and equitable, and should be accepted, I am further directed to request that you will suspend proceedings for bringing the estate to sale, and forward to me all the documents which accompanied the Commissioners' letter of the 1st March, with an account of all the expenses incurred.

I am, &c.
(signed) *J. S. Brickwood,* Secretary.

— No. 16. —

Copy LETTER from *J. S. Brickwood,* Esq., to *George N. Taylor,* Esq., Barbados.

Long Bay and Pool Estate, Barbados.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 27 April 1854.

On the 17th of this month I received your letter of the 27th ultimo, and on this date the letters of the 25th ultimo from the Commissioners in Aid to this Board, which will be laid before the Commissioners at their next meeting.

I observe that the Commissioners in Aid propose to give notices of the intention to proceed to sale required by the 8 & 9 Vict. c. 50, and I have to remind you that if such a course be decided upon, three months' notice must be given in the "London Gazette," as well as the colonial newspaper.

Referring to the letter of the Commissioners in Aid in answer to the private and confidential letter to them from this Board, communicating their decision to give the notices of sale required by the 8 & 9 Vict. c. 50, I have to observe, that the Act 3 & 4 Vict. c. 40, s. 1, and 11 & 12 Vict. c. 38, s. 4, do not apply to cases in which no extension of time has been granted; that the Act 8 & 9 Vict. c. 50, gave a power of sale upon notice without judgment; but this Board are advised that the remedies given by the 2 & 3 Will. 4, c. 125, s. 49, continue in force, and are not in anyway prejudicially affected by the subsequent Act.

As proceedings under the last-mentioned Act have been adopted in Jamaica with much expedition and success during several years, it would have been satisfactory to have been informed upon what grounds the Commissioners in Aid have been advised to proceed under the 8 & 9 Vict. c. 50, by giving notices which must necessarily occasion considerable delay.

I am, &c.
(signed) *J. S. Brickwood,* Secretary.

— No. 17. —

Copy LETTER from *Theodore Gordon,* Esq., Secretary of the Commissioners in Aid in Dominica to *John Strettell Brickwood,* Esq.

Hampstead Estate.

West India Islands' Relief.

Sir, Dominica, 10 May 1854.

I am directed by the Commissioners in Aid to acknowledge the receipt of your letter of the 15th ultimo, bringing under their consideration the fact of an offer having been made to compound the Board's claim on payment of 800 *l.* in full discharge of the principal and interest on the Crown mortgage on the above estate.

I am further instructed to state, that in the opinion of this Board the sum offered is more than the property would realize if offered by sale to public competition, and they therefore recommend that the same should be accepted.

The whole of the documents which accompanied the Commissioners' letter of the 1st March, viz.:—

11 and 12 April 1825.—Indentures of Lease and Release from Richard Howton and others to Edward Dowdy and Alexander Robinson, of the Hampstead Estate, in trust.
5 June 1826.—Indenture of Assignment from James Potter Lockhart to Charles Court.
5 May 1831.—Indenture of Assignment by way of Mortgage from said Charles Court and John Constable, to Charles Quayle Constable.
5 May 1831.—Deed Poll endorsed on last-mentioned Deed, under the hand and seal of said Charles Quayle Constable.
15 April 1834.—Articles of Agreement between said Charles Court and others, and Faur, Mourillon and others.
6 and 8 July 1839.—Indentures of Lease and Release, and Mortgage from said John Constable and others to Her Majesty for securing 3,000 *l.* and interest at four per cent.
18 December 1830.—Certified Copy of the Will of Francis Valery Mourillon.
28 September 1838.—
28 September 1838.— } Certified Copy of the Will and Codicils of Charles Court, esq.
23 September 1839.—
2 May 1840.—Conveyance and Assignment from John Court to George Constable, esq., of Mr. Court's interest in the real and personal estate of said Charles Court, deceased, upon trust.
17 and 18 February 1841.—Indentures of Lease and Release from James Robinson, esq. and others, to John Court Burford, esq., of the Hampstead Estate, upon trust.
18 and 19 April 1842.—Indentures of Lease and Release and Mortgage from the Rev. Dr. Burford and John Constable, esq., to Her Majesty, for securing the loan of 3,000 *l.* advanced in July 1839, with Interest at four per cent.

also, the Declarations of Mr. Brickwood, are returned herewith, and I have to state that no expenses have been incurred here.

The Commissioners in Aid would call to the attention of your Board that, in the event of this or any other property being brought to sale under legal process, the delay which must take place under the most rapid course, would, of necessity deteriorate the value of the property, inasmuch as all cultivation would cease during such period, and an opportunity be afforded for the dismantling of and otherwise impoverishing the estate.

It becomes a question, therefore, whether in future cases it would not be better to accept a compromise somewhat under what may be the estimated value of the estate, if sold in its then condition, rather than run the risk of its being offered to competition, with the circumstances above-mentioned operating against a fair sale.

I have, &c.
(signed) *Theodore Gordon*, Secretary.

— No. 18. —

Copy LETTER from same to same.

Sir, Dominica, 11 May 1854.

I have the honour to transmit herewith copy of the Minutes of the first meeting of the Loan Commissioners in Aid for your information.

I beg to state that John Palmer, esq., Island Treasurer, has been named as the other Commissioner in Aid, but he was unavoidably absent, in consequence of illness.

The opinion of the Attorney-general on the mode of proceeding to be adopted in the case of Geneva and Nelson Rest Estate, and in future cases, will not be ready in time for this mail, but the result will be communicated by the following packet.

I have, &c.
(signed) *Theodore Gordon*, Secretary.

Enclosure in No. 18.

Government House, Dominica, 9 May 1854.

At a Meeting of the Loan Commissioners in Aid: Present, his Excellency the Lieutenant-governor, his Honor the Attorney-general, the Honourable Mac. Dix, Comptroller of Navigation Laws.

The Honourable Theodore Gordon, secretary to the Board, being the Senior Assistant Justice of the Court of Common Pleas, administered the oath prescribed by the Act of Parliament, 5 & 6 Will. 4, c. 51, to his Excellency the Lieutenant-governor, a certificate of which is hereunto annexed, as follows:—

These are to certify, that his Excellency, Samuel Wensley Blackall, Lieutenant-governor and Commander-in-Chief of this island, this day took the oath prescribed by the Act of Parliament, 5 & 6 Will. 4, c. 51, as Commissioner appointed to act in Aid of the Chief Commissioners appointed in and by the said Act.

Given under my hand at Roseau, Dominica, the 9th day of May 1854.

Theodore Gordon,
Senior Assistant Justice, Court of Common Pleas.

His Excellency then administered the Oath to the other Commissioners above named.

His Excellency laid before the Board the following Letters, viz:—

30 Jan. 1854.—From J. S. Brickwood, requesting the Lieutenant-governor to re-assemble the Commissioners in Aid.

18 Feb. 1854.—From John Labouchere and F. Goulburn respecting the enforcement of the Crown Loan, with Interest, to the Geneva and Nelson Rest Estates.

18 Feb. 1854.—From John Labouchere and F. Goulburn, (private and confidential), respecting Terms of Sale, and easiest method of effecting the same.

17 Feb. 1854.—Also Declaration of J. Strettell Brickwood, of the Principal and Interest due in respect of the Mortgage on Geneva and Nelson Rest Estates.

1 March 1854.—From A. Spearman and F. Goulburn, respecting the enforcement of the Crown Loan, with Interest, to Hampstead Estate.

1 March 1854.—From A. Spearman and F. Goulburn, respecting the enforcement of the Crown Loan, with Interest, to Birmingham Hill Estate.

15 April 1854.—From J. S. Brickwood, apprising the Commissioners in Aid that an offer of 800*l.* in full discharge of the principal Sum and Interest loaned to the Hampstead Estate, having been made, and requesting the Opinion of the Commissioners in Aid, with instructions to stay any Proceedings which might have been adopted, should the Commissioners in Aid consider the Offer ought to be accepted.

The Commissioners are unanimously of opinion that the offer of 800*l.* should be accepted, and the secretary was directed to address a letter to Mr. Brickwood to that effect.

The communication of the 18th February, marked private and confidential, was referred to the Attorney-general for his opinion and report.

Adjourned.

(A true copy.)

(signed) *Theodore Gordon*, Secretary.

— No. 19. —

Copy LETTER from *J. S. Brickwood*, Esq., to *Thomas W. Creaser*, Esq., St. Vincent.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 15 May 1854.

I have to acknowledge the receipt of your letter of the 26th March, which has been taken into consideration by the Commissioners.

In reply thereto, I am directed to express the satisfaction of this Board on receiving your communication of the readiness of his Excellency the Lieutenant-governor to give effect to measures which may be recommended concerning the indebted estates in respect of the Hurricane Loans.

For supplying the absence, which you mention, of official information on the subject, I transmit, under the Commissioner's instructions, "A statement in reference to St. Vincent, showing the amounts advanced, the dates of advances, the principal unpaid, and the dates from which 4 per cent. is payable on the unpaid portions of the loans."

The documents in the island relating thereto when last brought under the notice of this Board were understood to be under the charge of Mr. Henry Melville, who had succeeded Mr. Thomas Melville as the secretary appointed by the Commissioners in Aid.

As it now appears requisite entirely to reconstitute such Board without any opportunity of referring to the original documents in the island, I enclose a print of the series of six Acts of Parliament, passed in reference to these loans, and have to draw attention to the ninth section of the Act 2 & 3 Will. 4, c. 125, whereby it is enacted, "That the Governors and Lieutenant-governors, and Attorney-generals of the said islands respectively, shall, with any two resident inhabitants for each of such islands, to be nominated by the Governor, or in his absence the Lieutenant-governor, or person exercising the functions of Governor respectively, be Commissioners for the island to which they respectively belong to act in aid," &c.

Act 2 & 3 Will. 4, c. 125, s. 9.

I send also a copy of the original letter from this Board, dated 23d August 1832, to the Commissioners in Aid in St. Vincent, containing information as to the principle on which the earliest proceedings under the Acts were conducted, and whereof some paragraphs will be found applicable at the present time.

For enabling this Board to make arrangements for enforcing, as soon as practicable, the closing of these accounts, either by receiving payment in full of the amounts due, by the completion of negotiations with parties who have made offers to compound the Crown's claim, or by a sale of the mortgaged properties, the Commissioners are desirous to be furnished with an estimate of the gross amount which each estate would be likely to produce, if offered for sale by auction in the colony, not in any considerable numbers at one time, but gradually, as may be deemed expedient.

This Board is further desirous to be informed, if, in his Excellency's opinion, any considerable number of these estates could, within a short time, be offered for sale, and find purchasers, without materially depressing the value of such property.

I am, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 20. —

COPY LETTER from *Theodore Gordon*, Esq., St. Vincent, to *J. S. Brickwood*, Esq.

Sir, Dominica, 27 May 1854.

I AM directed to forward to you the enclosed copy of a letter from the Attorney-general, addressed to his Excellency the Lieutenant-governor, which will explain the reasons why the opinion promised in my last communication to you does not accompany this.

I am, &c.
(signed) *Theod. Gordon*, Secretary.

Enclosure in No. 20.

Sir, Roseau, 26 May 1855.

PRESS of business and other official matter connected with the late elections prevented my devoting myself to the question submitted by your Excellency respecting the most eligible mode of proceeding with regard to the mortgages on the several properties in this colony on which loans were granted after the Hurricane of 1834. As the Court of Common Pleas will commence its sittings for the June term on the fifth proximo, I shall not be able to give that attention which the importance of the matter requires before the sailing of the next homeward packet, when I hope to be able to furnish your Excellency with the result of my consideration of the whole case.

To his Excellency
The Lieutenant-Governor,
&c. &c. &c.

I have, &c.
(signed) *Jno. Letang*, Attorney-General.

— No. 21. —

COPY LETTER from *Geo. N. Taylor*, Esq., Barbados, to *J. S. Brickwood*, Esq.

Long Bay and Pool Estates.

West India Islands Relief.

Sir, Barbados, 10 June 1854.

YOUR letter of the 27th April, acknowledging the receipt of letters of the 25th March from the Commissioners in Aid to the Commissioners, and of my letter of the 27th March to yourself, has been duly received.

The question as to whether proceedings should be taken under the 2 & 3 Will. 4, c. 125, s. 49, or under the 8 & 9 Vict. c. 50, underwent a full discussion by the Commissioners in Aid, at which the acting Attorney-general was present, and the Commissioners in Aid thought that, by giving the notice required by the last Act, there was a fairer prospect of realising a larger sum for the properties, as it would enable persons disposed to purchase to make arrangements for the purpose, and that seemed to be their chief reason for adopting this course.

I have been directed by the Commissioners in Aid to enclose you a notice for the sale of the four-sixths of these properties, which you will be so good as to have inserted in the "London Gazette," and to furnish me with a copy of the "Gazette" containing it.

I beg to inform you that Mr. Howard Gill, who was in possession of these estates as the acting trustee under Lieutenant-colonel Trollope's marriage settlement, has consented to be the receiver of the mortgaged portions of the estates, and to make the necessary advances for the due cultivation of the estates, charging interest on such advances. This arrangement is a convenient one, inasmuch as the receiver will have charge of the entirety of the estates, the remaining one-third of them belonging to Colonel Trollope and his wife, whose trustee he is, and as from this time until the time appointed for the sale there will, in fact, be nothing to be received, no other person would have been willing to act as receiver.

I am sorry to inform you that the island is afflicted with an awful visitation of cholera, which has swept off numbers in Bridge Town, chiefly of the black population.

I am, &c.
(signed) *Geo. N. Taylor.*

— No. 22. —

COPY LETTER from Lieutenant-Governor *R. G. MacDonnell*, St. Vincent, to the Secretary of the West India Relief Commissioners.

(St. Vincent, No. 1.)

Sir, Government House, 10 June 1854.

1. I HAVE to acknowledge the receipt of your letter of the 15th ultimo to my secretary, enclosing copy of the letter of the Commissioners for Relief of the West India Islands, covering copy of the instructions for the constitution of the first Board in aid for this colony; also, advising the entire reconstruction here of the Board in Aid, and requesting information on sundry points therein more particularly stated. The same letter contained a schedule of the various estates indebted still to Her Majesty's Government, on account of the Hurricane Loan, together with the amount due by each.

2. I prefer carrying on this correspondence directly, and in the first person, as I foresee there may yet be some public advantage in my doing so. Moreover, as from the nature of the subjects suggested for my consideration, many letters may pass between us, I have numbered this as the first of the series.

3. It is my intention forthwith to reconstitute the Board; but, before doing so, I conceive it my duty, as governor, to explain briefly the present impression made on me by the inquiries which I am requested to answer.

4. The Commissioners have sent me a list of 23 indebted estates, with the sums due from each for principal and interest. I at once perceive from that list, that in

the present crisis of West India affairs, there are not more than three or four estates capable of paying the whole of the Government demands upon them.

5. It results, therefore, that the only party interested in those estates fetching the largest sums which can be got for them, is Her Majesty's Government. On the other hand, the interest of parties intending to purchase is directly opposed to that of the Imperial Government, and, consequently, when I am requested to advise how the greatest sums may be obtained for those estates, whether by gradual sales or otherwise, it is clear that the object of the Commissioners is not to assist the nominal proprietors of those estates, but simply as a matter of bargain and sale to get the most they can for the property.

6. This is a very important fact to bear in mind, as in all cases where the estates cannot, if sold, fetch the sum for which they are mortgaged, the arguments "ad misericordiam" with which nominal proprietors, attorneys, and legatees may assail the Commissioners to put off the sales, or allow of a compromise, appear utterly valueless and without right. No party can lose by a hurried sale, except Her Majesty's Government; and, therefore, so far as this island is concerned, the frequently recurring questions of deferred sales, compromises, &c. &c. are greatly simplified.

7. I place this point before the Commissioners, thus clearly at the outset, because as governor, and feeling a great interest in this colony, I have long seen that nothing can give it a chance of developing its very great natural advantages, and its aptitude for the raising and manufacture of sugar, unless the estates be freed from the trammels of moniless proprietors, and rescued from the hands of attorneys. With a resident proprietary, the colony will do extremely well; but the time is gone by for any, except resident proprietors, to make money out of West India estates in the smaller islands, of which this is, perhaps, the most favoured by nature.

8. Holding the above views and opinions, which I have moreover very fully placed before Her Majesty's Government, and considering that, from the nature of the case, no indulgence can be extended to the present nominal proprietors, with the majority of whom it must be a matter of perfect indifference who may buy the estates, I am anxious that the moment should be advanced and not retarded, when the mass of property now so hopelessly tied up shall be liberated and added to the general wealth of the community here, so that the contest of free against slava grown sugar may be fairly tried in this island, by men having a tangible and real stake in the soil.

9. The Board will perceive that so far as the real interests of St. Vincent are concerned, it would make no difference to the colony whether the estates were sold for absolutely nothing. The less a purchaser might give, the more he would have remaining to expend on labour and improved cultivation, whilst, on the contrary, the mere purchase-money would disappear in the Imperial Exchequer, and no local benefit be derived from it.

10. It so happens, however, that the pecuniary objects which the Board may be supposed very properly to enterain as a matter of duty, are by no means inconsistent with the measures which the interests of the colony require, because in all cases where there is no hope entertained of any compromise, and where the value of the estate, if sold, is manifestly much under the debt due on account of the Hurricane Loan, the estates are being gradually abandoned and dismantled: no canes are planted, and all that can be used are being speedily reaped; whilst a still greater injury is being sustained by the gradual dispersion and settlement in other pursuits of the labourers who had been employed in the cultivation of those properties.

11. Whatever may be the case with other properties, the deterioration of the value of a sugar estate by one year's inattention to its cultivation must have a most telling effect on the price it would fetch at the end of that year. I believe there are estates in this island which would fetch one-fourth, if not one-third less by reason of such neglect.

12. It is also manifest that if the sales be long delayed, the Board has no security against the deterioration of valuable machinery by the abstraction of various portions. There is no one on the part of the Government to watch the proceedings

proceedings of persons temporarily in charge of estates; and it is of course in many cases the interest of those who are anxious to purchase that the estates should be brought to sale in a condition so dilapidated as to deter intending purchasers from bidding high for them.

13. I consider, therefore, that on the one hand, if the recovery of the money lent on the estates be the object of Her Majesty's Government, they will on the whole get a larger sum by selling the estates before the next planting season begins; in fact, as soon as possible; and if on the other hand their object be, as in some measure it certainly ought, to advance the prosperity of this colony, they will likewise best do so by sweeping away the nominal proprietors, or rather their attorneys and creditors.

14. I therefore arrive at the conclusion, that in all cases where the estates will not fetch the amount of the mortgages, they ought to be sold without any treaty or compromise with any person whomsoever, and with no other delay than may be required for giving every due publicity to such contemplated sales.

15. I shall be glad to hear from the Commissioners whether they agree in the above reasonings, for although I do not pretend as yet to give a detailed approximation to the probable gross value of each estate, a glance at the schedule of the indebted estates is quite sufficient to satisfy me that more than four-fifths of the estates concerned, including some of the most valuable, will suffer dilapidation by delay, to the detriment of the colony, and the loss of Her Majesty's Government.

16. I have written very frankly my sentiments, and mean to do so always in conducting this correspondence. It will, however, be necessary that the Commissioners should exercise a cautious reserve in giving publicity to any of my opinions.

I am, &c.
(signed) *Richard Graves MacDonnell,*
Lieutenant-governor.

— No. 23. —

Copy LETTER from same to same.

(St. Vincent, No. 2.)

Sir, Government House, 11 June 1854.

1. I find that there will be some difficulty in constituting the Board of Commissioners in Aid here with the necessary officers, such as clerk, secretary, and solicitor, till I am informed how the unavoidable expenses of transacting the business are to be defrayed.

2. It appears to me, from your letter of the 15th ultimo, that it will be necessary to incur expense in various ways, not merely in payment of the above-named parties, but of others occasionally, such as confidential appraisers of estates, whilst I doubt very much whether any disinterested party will undertake the duties of Commissioner without remuneration.

3. A good deal of expense, that is comparatively speaking, will also probably be incurred on account of travelling expenses, stationery, and sundry items which I cannot foresee. My attention has been drawn more particularly to this subject by the enclosed letter from the Attorney-general, who seems to consider himself very hardly dealt with in being appointed a Commissioner against his will, by Act of Parliament, and thus deprived of the professional emoluments which he might have looked forward to if he could have been permitted to practise. I certainly would object to his having any of the practice or business which the Board's operation might create.

4. I confess the letter of the Attorney-general embarrasses me considerably, for I cannot estimate his professional loss at much less than 800*l.* or 1,000*l.*, if he is to be compelled to serve as Commissioner. I am therefore anxious to know as soon as possible, whether he can receive any, and what salary as a Commissioner;

and also to what extent, and from what fund the general expenses of the Commission are to be defrayed.

5. I would wish also to know how much I will be justified in paying to the secretary and the solicitor, and how much will be allowed him; and though I am myself naturally the last to be considered, being by my position more especially bound to serve the public than the others, I beg leave to observe, that as my expenses must exceed my official income here, whilst my time is also very much occupied, I should not like to find myself put to any great expense in travelling to the various estates, or much loss of time in conducting, as principal Commissioner, what I foresee will be the very multifarious business of the Board, unless I am to be at least protected against loss.

6. The fuller the information you can supply on these points, the more clearly we shall all understand our relative position and duties, and the more likelihood there will be of those duties being efficiently carried out.

I am, &c.
(signed) *Richard Graves MacDonnell,*
Lieutenant-governor.

Enclosure in No. 23.

Sir, St. Vincent, 8 June 1854.

On perusal of the letter of instructions from the Hurricane Loan Commissioners to the Commissioners in Aid here, received by the present mail, I find no mention made of either the mode or amount of remuneration to be made to the Commissioners in Aid in this colony, of whom I am nominated one. In appointing the Attorney-general, I presume it was deemed if not necessary, at least advisable, that one of the Commissioners in Aid should be a professional man. I presume that the Chief Commissioners, and those in their employ, are provided for by a Treasury Minute, under the provisions of the Act; and without entering upon the question whether other gentlemen will act as Commissioners here without remuneration, or how a secretary, or clerk, or the other incidental expenses of the Board here are to be paid, all of which I apprehend it is necessary should be settled, I feel called upon to draw the attention of your Excellency and the Commissioners to the peculiar position in which I, as Attorney-general, am placed.

It is within your Excellency's knowledge, that I have by far the largest and principal practice in the colony, and that there are no solicitors here; all the legal practitioners being barristers, who are thus obliged to combine the practice of solicitors with that of counsel.

That I should act here as one of the Commissioners in Aid without compensation, never could have been intended any more than that the Commissioners in England should so act; and to expect me thus to act, unless with ample remuneration, would, as your Excellency and the Commissioners will at once see, be a great injustice, since it would deprive me of the chance of acting as the paid legal agent of the Commissioners in Aid here, or if not appointed as such, then of acting for the present owners of, or claimants on the incumbered estates, who having important interests at stake, and material matters to prepare and lay before the Board both here and in England, would naturally seek for professional assistance; and also in the event of any sale of the estates, would prevent my acting professionally for either vendors or purchasers; thus in fact depriving me of a very considerable amount of my practice. I would also add, lest any misconception should arise on this head, that I receive no emoluments whatever from the Home Government, the only provision which is made for the Attorney-general being by a colonial Act, and that for performing specified duties.

This matter I feel it is only necessary to bring under the notice of your Excellency and the Commissioners to insure the attention and consideration to which I feel it is entitled.

At the same time I would take the liberty of suggesting to your Excellency whether it would not be advisable that provision should be also made in the first instance for remunerating the services of a secretary, and if necessary of a clerk, since, from the peculiar duties to be performed, persons of known respectability and character alone could be appointed to these offices, and unless it were known what amount of compensation would be allowed, a difficulty might be experienced by the Board in securing the services of persons properly qualified.

I have, &c.
(signed) *C. D. Stewart,*
Attorney-general.

His Excellency
Richard Graves MacDonnell, Esq., C.B.,
Lieutenant-governor, &c. &c. &c.

— No. 24. —

Copy LETTER from *Theodore Gordon*, Esq., Dominica, to *John Strettell Brickwood*, Esq.

Sir, Dominica, 12 June 1854.

I am directed to forward for your information the enclosed opinion from the Attorney-general relative to the best mode of procedure to obtain payment of the Crown mortgages, if necessary, as required by your communication marked "private and confidential."

I am, &c.
(signed) *Theod. Gordon*, Secretary.

Enclosure in No. 24.

Sir, Roseau, 12 June 1854.

Having duly considered what would be the best mode of proceedings to be adopted to enforce payment of the loans granted on mortgage by the Crown, I consider that, in conformity with the practice in this island, bills of foreclosure should be filed against the mortgagors. As we have no Court of Exchequer, I conceive an information of intrusion would be quite inapplicable.

I have, &c.
(signed) *Jno. Letang.*

To His Excellency the Lieutenant-Governor,
&c. &c. &c.

— No. 25. —

Copy LETTER from *J. S. Brickwood*, Esq., to *Theodore Gordon*, Esq. Dominica.

Hampstead Estate, Dominica.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 15 June 1854.

I beg to acknowledge the receipt of your letter of the 10th ultimo, returning the documents relating to this estate, as therein mentioned.

I am, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 26. —

Copy LETTER from same to same.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 15 June 1854.

I have received your letters of the 11th and 27th ultimo, the latter enclosing copy of the Attorney-general's letter to his Excellency the Lieutenant-governor, and I am directed to request that the Attorney-general may be urged to give his immediate attention to the questions submitted to him.

I am, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 27. —

Copy LETTER from *J. S. Brickwood*, Esq., to *G. N. Taylor*, Esq., Barbados.

Long Bay and Pool Estates, Barbados.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 16 June 1854.

I am directed to acknowledge the receipt of the letter from the Commissioners in Aid to this Board, dated 7th April last, and to express the Commissioners' approval of the proposed delay in adopting proceedings to obtain possession.

I am, &c.
(signed) *J. S. Brickwood.*

— No. 28. —

Copy LETTER from Lieutenant-Governor *R. G. MacDonnell*, St. Vincent, to the Secretary of the West India Relief Commissioners.

(St. Vincent, No. 3.)

Sir, Government House, 22 June 1854.

On the 18th instant I appointed the Honourable James Chappin, who is Speaker of the Assembly, and Her Majesty's Solicitor-general for the colony, together with John James Hughes, esq., a member of Assembly, and who is both a planter and a merchant, to be the two Commissioners under the 9th section of the 125th cap. of 2 & 3 Will. 4, who, together with the Attorney-general and myself, are to form the new Board in Aid for this island.

Both the above gentlemen are well qualified by long practical acquaintance with the country, and an entire freedom from any personal or interested bias, to do their duty in a straightforward and loyal manner.

At a meeting of the Board, held on the same day, Thomas W. Creaser, esq., m.a., was appointed secretary of the Board, and James Crosby, esq., the senior member of the Bar, was appointed solicitor of the Board.

I have, &c.
(signed) *Richard Graves MacDonnell,*
Lieutenant-governor.

— No. 29. —

Copy LETTER from same to same.

(St. Vincent, No. 5.)

Sir. Government House, 24 June 1854.

I have been requested by the Board in Aid to apply to you for six additional copies of the six Acts regulating the powers of the Commissioners. Each member of the Board, and also the Solicitor and the Secretary should have a copy; but the 2 & 3 of Will. 4, is not in the colony, except the copy already forwarded by you in yours of the 15th ultimo.

I have, &c.
(signed) *Richard Graves MacDonnell,*
Lieutenant-governor.

— No. 30. —

COPY LETTER from same to same.

(St. Vincent, No. 4.)

Sir, Government House, 25 June 1854.

1. I HAVE to report that the first meeting of the Board in Aid here was held on the 16th instant, and that I then laid before the Board my letter No. 1, of the 10th instant, addressed to yourself, in explanation of the principles which I thought should regulate the conduct of the Commission here, and the instructions with which the Commissioner in Chief might favour us.

2. The Board was pleased to express its entire concurrence in the principles laid down in that letter, and resolved that on them the proceedings of the Board should be based, as far as might be consistent with instructions derived from superior authority.

3. The Board having then taken into consideration the questions contained in your despatch of the 15th May, relative to the most productive mode of selling the indebted estates, was of opinion that they ought to be sold by auction in this island as soon as possible, and as speedily as consistent with a due publicity of the particulars of each sale.

4. In coming to that resolution, the Board was influenced by the probability of a less sum being obtained in London, where the prejudice against West Indian property is at present high, and the further probability of the estates thereby passing at low prices, either by compromise or otherwise, into the hands of the mortgagees, who in scarcely one instance would reside in the island, which would thus lose the only benefit derivable from such contemplated change of property; viz., the acquisition of a resident proprietary.

5. The Board were also of opinion that the class of persons most likely to raise the selling price of the estates by competition amongst themselves were parties residing either at Barbados or generally in the West Indies, persons would probably not bid so readily if the sales were to take place elsewhere.

6. In regard to the best time for selling the estates, the Board were inclined to think that the dilapidation of some of the finest and largest properties would henceforward proceed so rapidly, that the probable deterioration in value thereby occasioned would be so immeasurably greater than the deterioration caused merely by a number of estates being at once put up for sale as to make the latter consideration a matter of comparatively minor importance, when calculating the best period to select for sale.

7. Nevertheless, although such was the opinion of the Board, it was likewise considered necessary that some more certain data should be furnished to the Board in London, by means of which they might form some opinion of their own. With this view the Board appointed two valuators, Mr. David Cowie and Mr. James Bascom, who have been instructed to value each estate separately, and also, as far as they can ascertain such particulars, to examine into the state of the machinery on each estate, and the number and condition of the stock. The duties which they will have to discharge are extremely irksome and delicate; but I think they will justify the choice made by the Board. *Vide* Enclosure, 19 June 1854.

8. These gentlemen will commence their labours as soon as the solicitor shall have served the proprietor, manager, or attorney of each indebted estate with a notice, warning him not to permit the removal of any stock or property whatever other than agricultural produce from the estate in his charge. At the same time, it is the intention of each member of the Board to visit some of the estates, and for my part I shall make it a point to visit every one of them. We then intend separately to value the estates, and from those valuations, together with the more professional data, furnished by the appraisers now appointed, we think the Board in London may derive all the information which can be reasonably expected on a matter of so peculiar and uncertain a nature.

9. I have no doubt that these measures will have some effect in checking the dilapidation of property which would otherwise have taken place; but I frankly own that nothing which either I or the Board can do will completely check that mischief which must prevail to a greater or less extent, whilst the estates remain unsold.

I have, &c.
(signed) *Richard Graves MacDonnell,*
Lieutenant-Governor.

Enclosure in No. 30.

(St. Vincent.)

Gentlemen, Government House, 19 June 1854.

1. I am desired by his Excellency the Lieutenant-governor to inform you that the St. Vincent Board in Aid of the Commissioners for the West India Islands Relief has selected you for the duty of valuing the several estates enumerated in the enclosed list, which has been transmitted by the Board in London, and which list gives the name of every estate in this island indebted to the Crown, together with the amount of principal and interest owed by each.

2. In employing you for the above purpose, the Board hopes to derive from your practical knowledge some valuable assistance in fixing the amount likely to be realised by each of the estates mentioned in the enclosed list, if sold by auction in the colony.

3. You will also examine into and report your opinion as to the probable increase or diminution in the aggregate of the amounts likely to be realised by such sales, if brought on nearly at the same time (though after due publicity); and you will next state whether, if not brought on in any considerable number at one time, but gradually as may be deemed expedient, you consider that a greater amount would be realised.

4. You will next report whether any, and if so, you will particularise which of those estates might in time be offered for sale, and find purchasers, without depressing the value of such property below what Her Majesty's Government might reasonably expect it to fetch within the next twelve months.

5. Whilst conducting the above inquiries, it will be essential that you should lose as little time as possible. It will also be necessary, that when entering on an estate in discharge of the trust hereby reposed on you, you should endeavour to conciliate all parties with whom you may come in contact, by the exercise of the utmost courtesy and forbearance in the execution of your duties. You will, however, immediately report to me any resistance or obstruction which you may meet from others in the discharge of those duties, and the Board will endeavour to devise a suitable remedy.

6. Finally, you will each keep a diary of your proceedings, copies of which must be submitted to the Board, and you will endeavour to obtain, by your own observation, and by the information of others, as accurate an account as possible of the number and condition of the stock on each estate, together with the state of the machinery and the facilities of procuring labour, and the apparent prospect in each instance of the estate either retrograding or improving in cultivation.

7. His Excellency is well aware both of the difficult and delicate character of the duties devolved on you, but he relies on your practical experience and discretion for carrying them to a satisfactory issue, such as may merit and receive an adequate recompense from the Board.

I have, &c.
(signed) *Thomas W. Creaser,*
Secretary to Board in Aid.

To David Cowie, Esq.,
and Robert Bascom, Esq.

(A true copy.)
(signed) *T. W. Creaser,* Private Secretary.

— No. 31. —

Copy LETTER from same to same.

(St. Vincent, No. 6.)

Sir, Government House, 26 June 1854.

1. Since writing my letters of the 24th instant, I have received credible information of the intention of parties charged with the management of the indebted estates to dispose of all the stock on the said estates, and otherwise dismantle them.

2. If

2. If the mortgages are to be considered as including the stock, and without stock a sugar estate would be valueless, I cannot regard the loss likely to be sustained by Her Majesty's Government in the course of the next three months as less than 15,000 *l.*; certainly amounting to that sum if the probable dilapidations of machinery is to be taken into consideration.

3. Under these circumstances, I find, on reference to the Acts on the subject, that the Board in Aid here is utterly powerless without special instructions and authority from the Board in London. It is true we may serve a notice on the parties now in charge of those estates not to remove or injure any of the property thereon, but unless we have a right of entry, and unless we actually do enter, it will be useless to expect that we can prevent the removal both of stock and machinery, and the consequent depreciation of the value of the estates, to a degree highly injurious to the interest both of the colony and Her Majesty's Government.

Vide 3 & 4 Will. 4, c. 125, sects. 9, 25, 26, and 27.

4. Bills of sale I understand have been in many cases already effected of the stock, and orders given that it be removed on the first notice served, and the first step taken by this Board.

5. I confess I would gladly, for the sake of the colony, as well as in the discharge of my duty to Her Majesty's Government, devise some means of defeating what I cannot but regard as fraudulent attempts to elude the payment of a just debt.

6. I think it the duty therefore of Her Majesty's Commissioners to grapple with this difficulty, and I see no way in which they can do so effectually, except by appointing some one or more parties here as their attorney or attorneys, with due authority to enter on all or any of the indebted estates under the powers given in the 25th, 26th and 27th clauses of the 2 & 3 Will. 4, c. 125.

7. I fear that it is almost too late now to adopt this measure with the marked benefit which I am now sensible would have followed its adoption by the Commissioners in the first instance. If the powers now asked for had been placed at my disposal as a preliminary step to any further proceedings, the Commissioners might have brought every indebted estate into the market at the most suitable period, and have obtained for almost all the estates sufficient to cover the whole debt and outlay of Government. Nevertheless, if by return of post, and without allowing their instructions to transpire to the correspondents of interested parties here, the necessary authority can be given by the Commissioners-in-chief, I have no doubt that even yet a very material saving will be effected by Her Majesty's Government.

8. I may add that in this way only can I see a chance of reserving some of the estates for a gradual sale, without thereby causing their dilapidation by the total abandonment of their cultivation, because by this means alone can the estates whilst kept out of the market be continued in cultivation by parties duly empowered and employed by Her Majesty's Government. This consideration is I think deserving of very great weight, as the best practical means of preventing loss for a forced sale of numerous estates at the same time.

9. Although not immediately connected with this subject, I think it right to add, that I hear many parties have been, and still are, engaged in making valuations of several of the indebted properties, with a view to inducing the Commissioners in England to compound the claims of Her Majesty's Government. From what I have heard of the valuations in question, the estates appear to have been grossly undervalued, and I therefore caution the Board against giving undue consideration to such appraisements.

10. I trust that, whatever resolution the Board-in-chief may adopt in consequence of the information hereby transmitted, no time will be lost in taking the matter into consideration.

I have, &c.
(signed) *Richard Graves MacDonnell,*
Lieutenant-Governor.

— No. 32. —

Copy LETTER from *J. S. Brickwood*, Esq., to the Lords Commissioners of Her Majesty's Treasury.

L'Angu Avant and Anse l'Ivrogne Estates, St. Lucia.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
27 June 1854.

My Lords,

On the 15th May 1835, the West Indian Islands Relief Commissioners advanced a loan of 850 *l.* on a mortgage of L'Angu Avant and Anse l'Ivrogne Estates in St. Lucia, and by the condition of the security, the whole principal sum was repayable on 15th May 1845.

Three hundred and forty pounds have been repaid on account of the loan, thereby reducing the principal sum to 510 *l.*

By the Act 3 & 4 Vict. c. 40 (passed in 1840), this Board was empowered, with the consent of your Lordships, on the application of the mortgagor, to extend the time for payment of the principal, for any period not exceeding 10 years from the time originally fixed for repayment, upon condition that the principal sum be paid off by equal annual instalments.

Under the authority of that Act, an application for such extension of time was made, and the grant thereof having been recommended by this Board's letter of 26th July 1849, your Lordships' warrant of 6th August 1849, authorising such extension, was issued; but the mortgagor having failed to comply with the conditions of that warrant, no certificate of extension of time was granted.

By the Act 11 & 12 Vict. c. 38 (passed in August 1848) s. 2, it is enacted, that when no certificate for the extension of time has been granted, it shall be lawful for this Board, with the consent of your Lordships, to grant such extension of time as is authorised by the Act 3 & 4 Vict. c. 40, and upon the terms and conditions therein mentioned, except that no instalment of the principal shall be made payable for five years from the passing of the Act 11 & 12 Vict., provided all interest due on such loan shall have been paid.

All interest having been paid in respect of the said loan, the party now entitled to the estate, subject to the mortgage, has applied for the extension of time authorised by the last-mentioned Act, to be extended to the full limit thereby authorised, viz. 25 years from the advance of the loan.

Should your Lordships deem it expedient to authorise this Board to grant such extension, the enclosed form of warrant appears to be applicable to the circumstances of the case.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 33. —

Copy LETTER from *J. S. Brickwood*, Esq., to *George N. Taylor*, Esq., Barbados.

Long Bay and Pool Estates, Barbados.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
6 July 1854.

Sir,

I have to acknowledge the receipt of your letter of the 10th ultimo, stating the grounds upon which the Commissioners in Aid had preferred taking proceedings in reference to the above-named estates, and enclosing a notice of sale in conformity therewith.

In compliance with their request, such notice has been inserted in the "London Gazette," and a copy of the Gazette containing it is now enclosed.

I am, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 34. —

COPY LETTER from the West India Relief Commissioners to the Commissioners in Aid, in Barbados.

Projection Hall Estate, Barbados.

To His Excellency the Governor, and the other Commissioners acting in Aid of the Commissioners appointed by the Statute 2 & 3 Will. 4, c. 125.—*Barbados.*

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
14 July 1854.

Gentlemen,

IN conformity with the provisions of the Statute of the Imperial Parliament above referred to, we have the honour to request your immediate intervention on behalf of the Crown, and in furtherance of the objects for which we have been appointed under the circumstances which we proceed to lay before you.

In the year 1833, application was made to us for a loan in terms of the Act, by Mr. Samuel Sainthill, and the necessary preliminaries having been gone through, a treaty was completed for a loan of 1,000 *l.*, on the security of a mortgage of Projection Hall Estate, in the parish of St. George, in the island of Barbados, containing 27½ acres of land, or thereabouts, with the appurtenances.

A deed was accordingly executed, bearing date the 31st July 1834, whereby the above-mentioned estate, with the appurtenances, was conveyed to his late Majesty King William the Fourth, by the said Samuel Sainthill, subject to a proviso for making the same deed void on payment of 1,000 *l.*, on or before the 31st July 1844, with interest thereon, at 4 per cent. per annum, at the expiration of the third year from the date of the deed, and thenceforth annually.

In consequence of the above advance, the borrower was enabled to resume the cultivation of the estate, and for several years from the date of the mortgage the interest was paid.

The whole of the principal sum of 1,000 *l.*, with interest at 4 per cent. per annum from the 31st of July 1845, is now in arrear and unpaid, notwithstanding repeated applications have been made to the parties interested in the estate for payment, and no satisfactory arrangement has been proposed for the gradual liquidation of the loan.

We therefore feel ourselves called upon, on the part of the Crown, to enforce the remedies provided by our Acts of Parliament for raising the principal and interest by a sale of the property comprised in the mortgage.

It is for the purpose of proceeding to a sale of the property in question, in the most prompt and effective manner, that we have now to request your interference and assistance, under the authority of the statute by which we are constituted, and in so doing we beg to call your attention to the 9th section of the Act 2 & 3 Will. 4, c. 125, which provides for the constitution of Commissioners in the several islands, "to act in aid of the Commissioners under the Act, in all such cases, and in relation to all matters and things which should be referred to them by the Commissioners named in that Act."

In pursuance of the clause above referred to, and in virtue of all other powers giving us authority in this respect, we do hereby therefore refer to you the case of the loan granted as beforementioned to Mr. Samuel Sainthill, for the purpose of your taking immediate steps for effecting an absolute sale of the premises comprised in the said mortgage, or of a competent part thereof, and such other proceedings as may be found requisite to raise such sum as shall be sufficient to repay the moneys due in respect of the loan and interest thereof, and all costs and charges attending the proceedings.

We forward herewith the depositions of Mr. Sainthill in support of the application, and the following deeds and papers:—

5 March 1827.—Certified Copy Indenture of Sale from Samuel Phillips Ibbot, esq., and others, to Samuel Sainthill, esq., of 10 acres of land.
21 December 1829.—Indenture of Sale from Anthony Barker Thorne, esq., to said Samuel Sainthill, of 17½ acres of land.
22 December 1829.—Certified Copy of the Will of Samuel Sainthill, senior.
31 July 1834.—Assent of the Incumbrancers on Projection Hall Estate to the Loan of 1,000 *l.*, taking priority of their charges.

We also send the declaration of Mr. Brickwood, our secretary, made before the Lord Mayor, and authenticated by his seal of office, setting forth a description of the property comprised in the mortgage, and stating the amount of principal, and interest thereon.

The lease for a year and mortgage, dated respectively the 30th and 31st July 1834, from Samuel Sainthill to his late Majesty King William the Fourth, for securing 1,000 *l.*, and interest at 4 per cent., were forwarded to Mr. George Nelson Taylor, of Barbados, in April 1843, to enable him to establish the Crown's Claim against the estate, a levy having been made thereon by judgment and execution creditors.

We have, &c.
(signed) *Benjamin Harrison,*
A. Y. Spearman,
John Labouchere.

— No. 35. —

Copy LETTER from Lieutenant-Governor *R. G. MacDonnell,* St. Vincent, to *J. S. Brickwood,* Esq.

Government of St. Vincent.

(No. 7.)

Sir, Union Island, St. Vincent, 24 July 1854.

1. It appears to me advisable that I should state, for the information of the West Indian Island Relief Commissioners, that I have just received, through the Governor-in-chief, copies of your communications to James Wilson, esq., dated respectively 17th and 29th May.

2. In regard to the Board's observations in yours of the 29th May, relative to my proposal, and the approval thereof by the Governor-in-chief, that an Encumbered Estate Act should be passed for St. Vincent, I beg leave to observe, that my proposal had reference to the general legislative requirements of this island, and not to the estates already mortgaged under Imperial Acts, framed with special regard to those estates, and so far calculated by their stringent powers of sale to do away with all necessity for the measure, which nevertheless I would gladly see applied to other property here.

3. I cannot but regret that the Board considers it impossible to delegate the power of selecting estates for sale. I believe the law officers here are inclined to think that such power could be conferred were the Board to appoint, by a proper instrument, any three of the Commissioners in Aid here to act as their attorneys. I doubt much (and I am anxious to place my opinion on record) whether that power can be exercised as advantageously either for Imperial interests, or those of this colony by the Commissioners in England, as by the Commissioners on the spot here.

4. I cannot but regard as corroborative of this view, the letters which in the ninth paragraph of your communication of the 17th May, you state were addressed to Her Majesty's Government, and the Board "describing sufferings of distress and inability to make immediate payment." I am aware that most of the writers of those letters represent the truth in stating their inability to meet the Government claims; at the same time I cannot but think that only two courses were open to the Government, either to exact those claims, or to abandon them; by following

following neither the one course nor the other, and by adopting a system of compromise, the Board and the Government have ceased to adhere to an intelligible principle, and have played into the hands of attorneys and merchants, to whom the nominal owners are indebted, and who have the lucrative employment either of superintending estates, or of supplying estates' stores; all which parties thrive, whether the nominal owners are prosperous or the contrary, solvent or insolvent.

5. The system of compromise is opposed to the only measure which can regenerate these colonies, viz., a change of the ownership of the soil, and its freedom from the trammels of those who, although gaining a livelihood themselves, and in many instances laying up wealth, do so without benefit to the proprietors in Europe, or advantage to the community here.

6. So far as this colony is concerned, Her Majesty's Government and the Board had a noble opportunity of developing the resources of some of the finest estates in this island; and though I observe that, in a communication from the Treasury to Mr. H. Merivale, my Lords consider that no other course than that adopted could have been taken with a view to the recovery of the loans, I must respectfully differ from such a misapprehension of the case as viewed on the spot here.

7. I observe in your letter (above referred to) of the 17th May, that the Board consider it unfortunate I had not specified the properties, which are now being gradually thrown out of cultivation, in consequence of the anticipated sale by the Commissioners. I beg to state that I early represented to Her Majesty's Government the probability of what is now happening; my correspondence at that time did not lie with the Board, and I then dealt not with details, but with general principles; I hope however, by the next mail, to transmit more detailed and accurate information on that point; meantime, I beg to state that on the following estates cultivation has already been either wholly abandoned, or is only partially maintained, and preparations are being made to dispose of all stock belonging to them:—Belmont, Cheltenham, Dalvey and Richmond, Fancy, Golden Grove, Lot 14, Layou Hill, Mount Alexander, Sharpes and Petit Bordell, Mount Hope, Orange Hill, Peruvian Vale and Henry's Vale, Rabacca, Spring, Three Rivers, Westwood, and Waterloo (cultivation partially discontinued).

8. The attorney of the Board in Aid here has now prepared and served the different notices required, and the valuators appointed by us have commenced their task, so that ere long all the requisite information will be lodged with the Commissioners-in-chief.

I have, &c.
(signed) *Richard Graves MacDonnell.*

P. S.—I write this in a distant island of my government where I am now on a tour of inspection; having therefore no present means of referring to my former letters to you, I have not numbered this, but shall leave to yourself to do so; I shall hereafter refer to this despatch by that which ought to have been its proper number in the series.

— No. 36. —

COPY LETTER from *J. S. Brickwood*, Esq., to *James Wilson*, Esq., M. P.

Hurricane Loan, Dominica.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
28 July 1854.

Sir,

BY direction of the West Indian Islands Relief Commissioners, I have to acknowledge the receipt of a letter, dated 17th June last, from the Secretary of State for the Colonies to Sir Charles Trevelyan, enclosing a copy of a despatch from the Governor-in-chief of the Leeward Islands, with a despatch from the Lieutenant-governor of Dominica, and a resolution of the Council and Assembly of

Herewith returned.

of that island, suggesting certain modifications for the liquidation of so much of the Hurricane Loan Advances as was taken on public account, which documents have been referred to this Board.

The resolution referred to proposes that the balance of the loan of 10,000 *l.*, amounting to 5,000 *l.*, and interest thereon to November 1853 (1,298 *l.*), together 6,298 *l.*, should be met by annual payments of 500 *l.* each, the first payment to be made in January 1855, and that Her Majesty's Government should forego interest to accrue as from November 1853, and the Lieutenant-governor, in his despatch, trusts that such an arrangement will be assented to.

I am directed to report, that with reference to the distress under which that colony is stated to be suffering, arising in a great degree from the injury during many years of the coffee plantations by blight, as detailed in Major Blackall's despatch of 27th December last, and the other causes stated in the papers herewith returned, the Commissioners do not see any grounds upon which they can advise their Lordships to withhold their assent to the proposed arrangement should their Lordships think fit (except the introduction of the inconvenient precedent of foregoing accruing interest); but if assented to, the relinquishment of accruing interest should be conditional upon the stipulated payments being made with regularity.

I have, &c.

(signed) *J. S. Brickwood*, Secretary.

— No. 37. —

Copy LETTER from *J. S. Brickwood*, Esq., to Lieutenant-Governor *R. G. MacDonnell*, St. Vincent.

Loans on Estates in St. Vincent.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 31 July 1854.

I am directed by the West Indian Islands Relief Commissioners to acknowledge the receipt of your despatches, Nos. 1 to 6, and I have to inform you that this Board is in communication with the Lords Commissioners of Her Majesty's Treasury with reference thereto.

I am, &c.

(signed) *J. S. Brickwood*, Secretary.

— No. 38. —

Copy LETTER from *J. S. Brickwood*, Esq., to *Theodore Gordon*, Esq., Dominica.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 31 July 1854.

I have received your letter of the 12th ultimo, enclosing the Attorney-general's letter to his Excellency the Lieutenant-governor of the same date, stating that, in conformity with the practice of that island, bills of foreclosure should be filed to enforce payment of the mortgages to the Crown; and I am to request that whatever

ever proceedings the Commissioners in Aid may decide upon adopting with reference to the Geneva and Nelson's Rest Estates, or any other which may be referred by this Board, such proceedings may be carried on with all practicable despatch and economy.

I am, &c.

(signed) *J. S. Brickwood*, Secretary.

— No. 39. —

Copy LETTER from Lieutenant-Governor *R. G. MacDonnell*, St. Vincent, to *J. S. Brickwood*, Esq.

(St. Vincent, No. 8.)

Sir, Government House, 10 August 1854.

In reference to my despatch, No. 7, transmitting certain information as to the indebted estates on which sugar cultivation had been abandoned, or was in gradual course of abandonment, I wish to correct the statement therein contained, as to cultivation being partly discontinued on Waterloo Estate. I find, since my return to the seat of Government, I was mistaken in supposing such to be the case, as the valuators of the Board in Aid here, and other competent judges, report Waterloo to be in a high state of cultivation, such as would add considerably to its value if brought to sale. 26 July 1854.

In the same despatch I also rather misrepresented the opinion of the law officers of the Crown as to the right of the Board in England to delegate a power of selecting estates for sale, unless that Board appointed its attorneys here, and empowered them to sell all the estates, leaving it to their discretion to select. Under those circumstances it would not be competent for the Board in Aid here to select. I conceive, however, that so far as the interests of the colony are concerned in selecting estates for sale, the opinion of the local Board here is entitled to great weight, although, in reference to merely Imperial interests, this Board puts forward no such claim. It nevertheless believes that in reality the true interests of Her Majesty's Government and of this colony are identical, as expressed in my despatch of the 10th June. No. 1, paras. 10 and 11.

I have, &c.

(signed) *Richard Graves MacDonnell*,
Lieutenant-Governor.

— No. 40. —

Copy LETTER from same to same.

(St. Vincent, No. 9.)

Sir, Government House, 10 August 1854.

In reference to the "Fancy," one of the indebted estates, I enclose you copy of a statement by the appraisers of the Board in Aid, showing that certain fixtures there have been most improperly removed.

I have, &c.

(signed) *Richard Graves MacDonnell*,
Lieutenant-Governor.

Enclosure in No. 40.

Sir, Mount Pleasant, 24 July 1854.

We beg to state, for the information of the Board in Aid of the Commissioners for the West India Islands Relief, that, in accordance with our instructions, dated 19th June 1854, we visited the Fancy Estate, for the purpose of appraising it, on Friday the 21st July instant, and that we deem it our duty to inform the Board that we found near the Shipping Bay of the said estate, five cast-iron coppers, a pewter still-worm, a copper clarifier, still-pot and cap, which we valued at 96*l.* sterling, and which we have reason to believe are about to be (if indeed they are not already) removed from the estate.

We have, &c.
(signed) *D. Cowie,*
James R. Bascom.

To T. W. Creaser, Esq., Secretary to
the Board in Aid of the Commissioners
of the West India Islands Relief.

(A true copy.)

(signed) *T. W. Creaser,*
Secretary to the St. Vincent Board in Aid.

— No. 41. —

Copy LETTER from same to same.

(St. Vincent, No. 10.)

Sir, Government House, 10 August 1854.

I beg to state, for the information of the Commissioners-in-chief, that the Hon. J. C. Choppin has resigned his seat at the Board here, for the reasons stated in the letter copy of which is enclosed.

I greatly regret the unavoidable loss of his services; I have appointed Edward John Cloke, esq. to be a member of the Board in Aid in the room of Mr. Choppin. Mr. Cloke is a planter of considerable experience, and member of the Assembly. I have no doubt he will do his duty efficiently.

I have, &c.
(signed) *Richard Graves MacDonnell,*
Lieutenant-Governor.

Enclosure in No. 41.

Sir, St. Vincent, 1 August 1854.

An application has been made to me by a client to act professionally for him in a matter immediately connected with the business at present engaging the attention of the Commissioners of the Hurricane Loan, and of the Commissioners in Aid in this island.

When your Excellency was pleased to appoint me a Commissioner to act in this island, you distinctly intimated that I was at liberty to resign should my position as Commissioner become incompatible with the due discharge of my professional duties.

I feel that I cannot entertain the application of my client and consistently retain my office as Commissioner; I therefore beg, with all due respect to your Excellency, to resign the latter.

As I hold Her Majesty's commission as Solicitor-general of this island, it is right that I should obtain your Excellency's sanction to my acceptance of a retainer against the Crown, a sanction never I believe withheld on the application of an unpaid officer, and one which I trust your Excellency will have no difficulty in granting in the present case in which the Attorney-general is already officially engaged to act on the part of Her Majesty.

I have, &c.
(signed) *J. Clement Choppin.*

To His Excellency
Richard Graves MacDonnell, Esq., C.B., &c. &c. &c.

(A true copy.)

(signed) *T. W. Creaser,*
Secretary of St. Vincent Board in Aid.

— No. 42. —

COPY LETTER from same to same.

(St. Vincent, No. 11.)

Sir, Government House, 10 August 1854. 7 August 1854.

I enclose, for information of the Board-in-chief, copy of a letter from Mr. J. Crosby, solicitor of the Board in Aid here, covering a duplicate return of the attorneys and managers of the various indebted estates whom he has served with notices of the appraisements to be made by authority of the Board in Aid.

I have, &c.

(signed) *Richard Graves MacDonnell,*
Lieutenant-Governor.

Enclosure 1, in No. 42.

Sir, Chambers, Kingstown, Monday 7 August 1854.

1. IMMEDIATELY on the receipt of your letter dated the 17th June last, I proceeded to draw, and as soon as possible to serve, the notices of the appraisements of the different estates, in accordance with the resolutions of the Board: some delay was unavoidably occasioned, and I was unable to serve any notice before Wednesday the 19th July last.

2. In order to give the Board every information in respect to the services of the notices, I have the honour to transmit to you duplicate returns, in a tabular form, of the dates of such services, and of the manner and places in which they were respectively made.

3. I have not been able to serve the notices in respect to the Cheltenham Estate in the island of Mustique, but I hope to do so within a few days.

4. I have also to inform you, for the information of the Commissioners, that the mortgage of the Spring Estate, dated 15th September 1840, by John Hill, esq., and Henrietta his wife, for 600*l.*, is not recorded, and that the mortgage of the Westwood Estate is by Thomas Coull and wife, and bears date according to the deed as recorded in the office of the Registrar of Deeds as of the 22d and 23d November 1833, and not of the 9th and 10th April 1833, as mentioned in the statement of the Commissioners in London.

I have, &c.

(signed) *James Crosby,*
Solicitor to the Commissioners in Aid for St. Vincent.

To Thomas William Creaser, Esq.,
Secretary to the Commissioners in
Aid for St. Vincent.

(A true copy.)

(signed) *T. W. Creaser,*
Secretary St. Vincent Board in Aid.

Enclosure 2, in No. 42.

A RETURN of the Dates of the Services of the Notices by the "Commissioners in Aid" for *St. Vincent*, as to the with the Manner in which, and the

No. of Estates.	NAMES OF ESTATES.	NAMES OF PROPRIETORS.	DATES OF SERVICE.	NAMES OF ATTORNEYS.
1	Fancy Estate			Robert Aitkin, Esq., personally at his residence on Brighton Estate.
2	Tourama Estate	James Graham, Esq., personally at his Store in Kingstown.	Wednesday, 19 July 1854	
3	Orange Hill Estate			Hon. Alexander M'Leod, Esq., personally at the residence of R. Chapman, Esq., Union Estate.
4	Waterloo Estate			Hon. Alexander M'Leod, Esq., personally at the residence of R. Chapman, Esq., Union Estate.
5	Lot No. 14 Estate	Alexander Cumming, Esq., personally at the residence of R. Sutherland, Esq., on the estate.	Thursday, 20 July 1854	
6	Rabacca Estate	Alexander Cumming, Esq., personally at the residence of R. Sutherland, Esq., on Lot 14 Estate.	Thursday, 20 July 1854	
7	Langley Park Estate			James Graham, Esq., personally at his Store in Kingstown.
8	Bellevue Estate			Robert Aitkin, Esq., personally at his residence on Brighton Estate.
9	The Three Rivers Estate	Mrs. Harriet Maria Hackshaw, personally at her residence on the estate.	Friday, 21 July 1854	
10	Peruvian Vale Estate			Robert Aitkin, Esq., personally at his residence on Brighton Estate.
11	Henry's Vale Estate			Robert Aitkin, Esq., personally at his residence on Brighton Estate.
12	Argylle Estate			Hon. William G. Alves, Esq., personally at his residence on Carapan Estate.
13	Calder Estate			Hon. William G. Alves, Esq., personally at his residence on Carapan Estate.
14	Calder Ridge Estate			Hon. William G. Alves, Esq., personally at his residence on Carapan Estate.
15	Carapan Estate	Hon. William Gunnul Alves, personally at his residence on the estate.	Saturday, 22 July 1854	
16	Dalvey and Richmond Estate.			William M'Kenzie, Esq., personally at at the Store of Messrs. Le Gall, Graham & Co., at Kingstown.
17	Golden Grove Estate			Hon. Alexander M'Leod, Esq., personally at the residence of R. Chapman, Esq., at Union Estate.
18	Mount Alexander Estate			William M'Kenzie, Esq., personally in the Court House at Kingstown.
19	Sharpe's Estate			William M'Kenzie, Esq., personally at the Store of Messrs. Le Gall, Graham & Co., Kingstown.
20	Petit Bordel Estate			William M'Kenzie, Esq., personally at the Store of Messrs. Le Gall, Graham & Co., Kingstown.
21	Belmont Estate	Alexander Robertson, Esq.	Tuesday, 25 July 1854.	
22	Mount Hope Estate			Hon. John Reily, Esq., personally in the Market-place, at Kingstown.
23	The Grove Estate	John Hill, Esq., personally on Cumberland Estate.	Tuesday, 25 July 1854.	
24	The Spring Estate	John Hill, Esq., personally on Cumberland Estate.	Tuesday, 25 July 1854.	
25	Westwood Ettate	John Pennefather, Esq., personally at his residence in the Town of Barrowville.	Tuesday, 25 July 1854.	
26	Layou Hill Estate	James Raggie, Esq., personally at his residence in the Town of Layou.	Thursday, 27 July 1854	In possession as the executor of Mr. Charles Henry Cowdrey, deceased, who claimed an undivided moiety of the estate under the will of his father, Robert Cowdrey, deceased, but which will has been proved, and is said to be void. Mr. Robert Cowdrey died without leaving any lawful issue.
27	Cheltenham Estate			Hon. Alexander M'Leod, Esq.

Monday, 7 August 1854.

- - - - - - - - Enclosure 2, in No. 42.

Appraisement of the Estates, subject to the HURRICANE LOANS, by virtue of the 2 & 3 Will. 4, c. 125; together Places where such Services were made.

DATES OF SERVICE.	NAMES OF MANAGERS.	DATES OF SERVICE.	REMARKS.
Saturday, 22 July 1854 - -	Francis Anderson, Esq., at his Store in Kingstown; given to Mr. Simmonds.	Wednesday, 19 July 1854 -	Mr. Anderson is the tenant acknowledged, Friday, 28 July 1854.
- - - - - - -	Anthony B. Thorne, Esq., personally at his residence on the estate.	Thursday, 20 July 1854.	
Thursday, 20 July 1854 - -	John Punnett, Esq., personally at his residence on the estate.	Thursday, 20 July 1854 -	Notices were served on the attorney and manager for the proprietors of each undivided moiety of the estate.
Thursday, 20 July 1854 - -	Christopher Punnett, Esq., personally on the estate.	Thursday, 20 July 1854.	
- - - - - - -	Michael White, Esq., personally at his residence on the estate.	Thursday, 20 July 1854.	
- - - - - - -	Robert Bilby, Esq., personally at his residence on the estate.	Thursday, 20 July 1854.	
Wednesday, 19 July 1854 - -	Lachland M'Lean, Esq., personally at the residence of A. B. Thorne, Esq., Tourama Estate.	Thursday, 20 July 1854.	
Saturday, 22 July 1854 - -	Ephraim Hadley, Esq., personally on the estate at the Works.	Thursday, 20 July 1854.	
- - - - - - -	Charles M'Dowal, Esq., personally at his residence on Park Hill Estate.	Friday, 21 July 1854 -	Mr. M'Dowal is the tenant.
Saturday, 22 July 1854 - -	Joseph Warwick, Esq., personally at the Shipping-place of the estate.	Friday, 21 July 1854.	
Saturday, 22 July 1854 - -	Joseph Warwick, Esq., personally at the Shipping-place of the estate.	Friday, 21 July 1854.	
Saturday, 22 July 1854 - -	Alexander Ligertwodd, Esq., personally at his residence on the estate.	Friday, 21 July 1854 -	Notices were served on the attorney and manager for the proprietors of each undivided moiety of the estate.
Saturday, 22 July 1854 - -	John Parsons, Esq., personally on the estate at the Works.	Friday, 21 July 1854 -	
Saturday, 22 July 1854 - -	Thomas Hackshaw, Esq., personally at his residence on the estate.	Friday, 21 July 1854 -	
- - - - - - -	Charles Ross, Esq., personally at the residence of the Hon. W. G. Alves, Esq., Carapan Estate.	Saturday, 22 July 1854.	
Wednesday, 19 July 1854 - -	Malcolm M'Intyre, Esq., personally at his residence on the estate.	Tuesday, 25 July 1854.	
Thursday, 20 July 1854 - -	Alexander Mitchell, Esq., personally at his residence on the estate.	Wednesday, 26 July 1854.	
Tuesday, 1 August 1854 - -	Gilbert Ramsay, Esq., personally in the Police Office at Kingstown.	Monday, 31 July 1854.	
Wednesday, 19 July 1854 - -	Gilbert Ramsay, Esq., personally in the Town of Chateaulelaine.	Tuesday, 25 July 1854.	
Wednesday, 19 July 1854 - -	Gilbert Ramsay, Esq., personally in the Town of Chateaulelaine.	Tuesday, 25 July 1854.	
Friday, 28 July 1854 - - -	Thomas Clifton Mills, Esq., personally at his residence on the estate.	Tuesday, 25 July 1854 -	Mr. Mills is the tenant.
- - - - - - -	William Stowe Spencer, Esq. - - -	- - - - - -	Mr. Spencer is the tenant.

James Crosby,
Solicitor to the Commissioners in Aid for St. Vincent.

— No. 43. —

COPY LETTER from same to same.

(St. Vincent, No. 12).

Sir, Government House, 10 August 1854.

Enclosures 1 and 2. I ENCLOSE, for the information of the Commissioners-in-chief, the Diaries kept by the appraisers of the Board in Aid, Messrs. Cowie and Bascom, when valuing some of the indebted estates in the Carib country.

Enclosure 3. I also enclose a List of the Values put on those estates by those gentlemen, whence you will perceive that there is a difference in their returns of 8,200*l.* in the total estimate of the price likely to be fetched by the sale of seven estates.

Mr. Bascom places a higher value on some of the estates than Mr. Cowie. They are both shrewd and experienced men; but there are so many and various disturbing elements which must have entered into their calculation of the cash price likely to be fetched by so many estates in the present condition of West India property, that I am by no means surprised at the difference in valuation.

The last proprietor of Rabacca paid 80,000*l.* for it, and the appraisers now both value it at only 4,000*l.*

It is due to those gentlemen to state, that they have not spared themselves any personal fatigue or hardship in visiting during very unfavourable weather the estates in the enclosed list, on learning my anxiety to transmit early the information contained in their diaries and appraisement.

I hope by next mail that the appraisement of the other estates will be concluded.

I have, &c.
(signed) *Richard Graves MacDonnell,*
Lieutenant-Governor.

Enclosure 1, in No. 43.

(COPY of DIARY.)

21 July 1854.—Visited *Fancy Estate*, about 25 acres of which are planted in arrowroot, and in high cultivation. Found no stock on the estate, and the old sugar works entirely dismantled.

The arrowroot mill, mill and drying-houses, are good and substantial. Informed by Mr. T. MacDonald that they had been recently erected by the lessee. Found at Shipping Bay a copper clarifier, still-pot, and cup, a pewter still-worm, and 5 cast-iron coppers. Manager's dwelling-house and negro houses in very bad order.

Valued estate at	£.	500	– –
Articles at Bay, at		96	– –
TOTAL	£.	596	– – sterling.

22 July 1854.—Visited and inspected *Tourama Estate.*—It comprises 270 acres of arable land, about 180 of which are in cane cultivation, about half crop reaped (200 hogsheads). Buildings very commodious, and in excellent order. Mill very superior; excellent still and range of coppers; also vacuum pan (not in use); stock in wretched condition, and valued as follows:—

16 oxen at	£.	66	13	4
32 cows and calves		120	–	–
3 horses		29	3	4
26 mules		487	10	–
2 asses		4	3	4
TOTAL	£.	707	10	–

Mem.—Saw 12 Porto Rico oxen (value, say 12*l.* 10*s.* per head). Informed by the manager of the estate that three did not form part of estate's stock, and had never worked on it.

Estate valued (without stock) by D. Cowie, at - £. 7,000 – –

27 July 1854.—Visited and inspected *Waterloo Estate*.—This estate is in high cultivation, and capable of being entirely cultivated by implements; has an abundant supply of located labour, and commodious buildings, in good order. The mill, a vertical one, with four rollers and wooden frame, and water-wheel is very old; informed by the manager that it is constantly breaking, and thereby causing much delay in reaping the crop. Still almost new, and in good order. Stock in excellent condition, and appraised as follows:—

30 mules	£.	718	15 –
40 cows and young stock		150	– –
10 steers		62	10 –
6 working oxen		50	– –
3 horses		50	– –
TOTAL	£.	1,031	5 –

Estate (without stock) valued by D. Cowie, at - £. 6,000 – –

27 July 1854.—Visited and inspected *Orange Hill Estate*.—It is an extensive estate, with good soil, but laborious in regard to cartage, a great portion of the cultivated part of it being upwards of two miles from the works. Buildings extensive, but in bad order: mill similar to the one on Waterloo, and equally troublesome. Still very old, and much patched. Estate decidedly retrograding in cultivation, little having been done for crop 1855. Stock very superior, and appraised as follows:—

30 mules	£.	750	– –
3 horses		50	– –
5 cows		20	16 8
3 calves		7	10 –
14 young cattle (at Sandy Bay)		58	6 8
TOTAL	£.	886	13 4

July 28.—Went to Sandy Bay, and appraised 14 cattle belonging to the above estate.

Estate (without stock) appraised by D. Cowie at - £. 4,000 – –

July 28.—Visited and inspected *Lot* 14, and *Rabacca Estates*.—The former is a fine property, but rapidly coming to a state of abandonment, all cultivation of crop 1855 having ceased some months ago. The buildings generally are in a very dilapidated state. The mill appears to be good of its kind, but constructed on a principle not approved of at the present day, being vertical, and with four rollers. Still very old and defective. Several of the beams and a great part of the flooring of the distillery quite rotten, and even unsafe. Megass-house, stables, pens, negro-houses, and other outbuildings very bad. Informed by the manager that all the stock, except two old horses (which we valued at 16 *l.* 13 *s.* 4 *d.*), had been sold and delivered to Messrs. W. S. Spence & Co. on the 14th July instant. Saw entry to that effect in estate's journal.

Estate valued by D. Cowie at - - - - £. 2,800 – –

Rabacca.—A very fine property, with the advantage of having the works within 100 yards of the Shipping Bay. Cultivation of crop 1855 ceased some months ago; buildings substantial and in good order; mill almost similar to that on Lot 14, but more powerful; still good. Informed by the manager that all the stock was sold and delivered on or before the 14th instant, and that all the stock employed in reaping the crops of these two estates (Lot 14 and Rabacca) are hired.

Estate valued by D. Cowie at - - - - £. 4,000 – –

29 July 1854.—Visited and inspected *Langley Park Estate*.—It comprises about 250 acres of arable land, about 170 of which are now in cane cultivation. Informed by the manager that the land does not yield a good return; the estate is very compact and level, intersected with excellent roads; the whole of it might be advantageously worked with implements: the works are in bad order, and inadequate to take off a large crop; there are no covered pens for the stock, and all the outbuildings and negro-houses are much in want of repair.

Stock appraised as follows:—

17 mules	£.	386	9 2
19 oxen		118	15 –
1 bull		13	10 10
36 cows and young stock		135	– –
7 calves		7	5 10
	£.	661	– 10

Estate (without stock) valued by D. Cowie at - £. 5,000 – –

(signed) *D. Cowie.*

General Remarks.

All the before-mentioned sugar estates in the Charaib country are within two miles of the Shipping Bay at Rabacca, where there is a substantial wharf, at which, we believe, they all have the right of shipping. Each estate has its own store at this bay for the reception of produce and estate's supplies.

We are of opinion that there is a superabundance of labour in the Charaib country, if the employment of implemental husbandry is judiciously carried out.

We are also of opinion that it would be for the interest of Her Majesty's Government if those estates that are being abandoned, or are retrograding in cultivation, and thereby deteriorating in value (viz., Orange Hill, Lot 14, and Rabacca) were, after due publicity, brought to a sale with as little delay as possible.

(signed) *D. Cowie,*
James R. Bascom.

(A true copy.)

(signed) *T. W. Creaser,*
Secretary to the St. Vincent Board in Aid.

Enclosure 2, in No. 43.

(Diary.)

21 July 1854.—Visited *Fancy Estate.*—From 25 to 30 acres, in arrowroot cultivation, looking well. No stock on this estate; the sugar works entirely destroyed: the arrowroot mill and drying house, we were informed, had been recently erected by the lessee.

Five cast-iron tayches, a copper clarifier, pewter worm-still, and still-head, at the Shipping Bay of this estate:

Which articles we valued at	£.	96	– –
Valued Estate		500	– –
	£.	596	– –

22 July 1854.—Visited *Tourama Estate.*—Crop little more than half reaped; informed there is 270 acres arable land, of which 180 in cane cultivation; mill and buildings all very superior, and efficient to take off any crop; also a good still; vacuum pan, but not in order; crop now being reaped expected to reach 400 hhds. sugar; stock not sufficient, and in very bad condition; saw 12 Porto Rico oxen, worth about 12 *l.* 10 *s.* per head; informed by manager that they did not form any part of estate's stock, and had never worked; apparent prospect of improvement in cultivation by the use of agricultural implements.

16 oxen, valued at	£.	66	13 4
32 cows and calves		120	– –
3 horses		29	3 4
26 mules		487	10 –
2 asses		4	3 4
	£.	707	10 –

Estate (exclusive of stock) valued by D. Cowie at - £. 7,000 – –
„ „ „ by J. R. Bascom at 10,000 – –

27 July 1854.—Visited *Waterloo Estate.*—This is a fine estate, and in high cultivation; implemental husbandry may be much more extensively adopted on this estate than on Tourama, the land being generally more level, buildings commodious, and in pretty good order, except the mill, which is vertical four-roller, one with wooden wheel and frame, very old,

old, and frequently breaking. Extensive still-house, and good still, nearly new; good supply of stock, and in excellent condition; crop expected to reach 350 hogsheads sugar; about 80 hogsheads. now to be made; abundant supply of labour.

Appraised as follows:—

30 mules	£.	718	15 –
10 steers		62	10 –
6 working oxen		50	– –
40 cows and calves		150	– –
3 horses		50	– –
	£.	1,031	5 –

Estate (without stock) valued by J. R. Bascom	£.	7,500	– –
„ „ „ D. Cowie		6,000	– –

27 July 1854.—Visited and inspected *Orange Hill Estate.*—The cartage on this estate very long, many of the fields being about two miles from the works; soil good, and easily worked with implements; cultivation decidedly retrograding, very little having been done for crop 1855; buildings extensive, but require repairs: mill precisely the same as Waterloo, four-roller vertical, wooden, and often breaking; still old, and much patched: good supply of labour; crop, now being reaped, expected to reach 230 hogsheads of sugar, of which 40 hogsheads now to be reaped; stock very fine.

Appraised as follows:—

30 mules	£.	750	– –
3 horses		50	– –
5 cows and 3 calves		28	6 8
14 young cattle at Sandy Bay, appraised 28th instant		58	6 8
	£.	886	13 4

Estate (without stock) appraised by J. R. Bascom	£.	6,000	– –
„ „ „ D. Cowie		4,000	– –

28 July 1854.—Inspected *Lot* 14 *Estate.*—A fine property, but rapidly deteriorating in value. Cultivation ceased some months past; the young plants and rattoons for crop 1855 almost entirely destroyed by grass and other weeds; all work suspended, except the taking off of the present crop, which is expected to reach 220 hogsheads, 80 of which are still to be reaped. The buildings generally in a very dilapidated state. Still old and defective; still-loft unsafe, many of the beams being quite rotten. Mill pretty good of its kind, but constructed on a principle not approved of at the present day, being a four-roller vertical. Manager informed me he could obtain as much labour as he required, also told us the stock had been all sold, with the exception of two old horses, and showed us an entry in the estate books to that effect.

Two old horses	£.	16	13 4

Estate (without stock) valued by J. R. Bascom	£.	3,000	– –
„ „ „ D. Cowie		2,800	– –

28 July 1854.—Inspected and valued *Rabacca Estate.*—This is a fine property, but like Lot 14, in a state of abandonment. All cultivation for crop 1855 ceased some months past. No labour employed, except to reap the present crop, 40 hogsheads of which now to be reaped. Entire crop estimated by manager at 210 hogsheads; a considerable falling off he informed us from want of manure last year for the present crop. Buildings substantial, and in good order, with the advantage of being situated only a few yards from the Shipping Bay. Mill similar to the one at Lot 14, but more powerful. Good still. Plenty of labour. Informed by manager that the stock had been all sold to W. Spence & Co., and others, and were now hired to take off the crops on the two estates, Lot 14 and Rabacca.

Estate valued by J. R. Bascom	£.	4,000	– –
„ „ D. Cowie		4,000	– –

29 July.—Visited and inspected *Langley Park Estate.*—This is the finest landed estate in the Charib country, all of the cultivation, or cultivated land, being perfectly level, the whole of which may be worked with implements; also good roads about the estate; it comprises 250 acres arable land, of which 170 acres are in cane cultivation. The works in bad order, and

inadequate to take off a large crop. Crop now being reaped, estimated at 230 hogsheads sugar, 60 of which are now to be reaped. No covered pens for stock. Stock pretty fair, valued as follows:—

17 mules	£.	386	9 2
19 oxen		118	15 –
1 bull		13	10 10
36 cows and young stock		135	– –
7 calves		7	5 10
	£.	661	– 10

Estate (without stock) valued by J. R. Bascom	£.	6,500	– –
„ „ D. Cowie		5,000	– –

(signed) *James R. Bascom.*

REMARKS.

All the before-mentioned sugar estates in the Charib country, are within two miles of the Shipping Bay at Rabacca, where there is a substantial wharf, at which we believe they have all the right of shipping. There are also stores at the bay belonging to these several estates where the sugar is stored until ready for shipment.

We are of opinion that there is a superabundance of labour on these estates if the employment of implemental husbandry is judiciously carried out. They have also the advantages of a light soil easily worked, and good water-power for driving the mills.

We are also of opinion that it would be for the interest of Her Majesty's Government, if those estates that are being abandoned, or are retrograding in cultivation, and thereby deteriorating in value (viz. Orange Hill, Lot 14, and Rabacca), were, after due publicity, brought to sale with as little delay as possible.

(signed) *James R. Bascom.*

(True copy.)

(signed) *Thomas W. Creaser,*
Secretary to the St. Vincent Board in Aid of the Commissioners for West India Island Relief Fund.

Enclosure 3, in No. 43.

APPRAISEMENT of the CHARIB COUNTRY ESTATES.

Name of Estate.	Appraised by D. Cowie.			Appraised by J. R. Bascom.			Stock.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Fancy	500	–	–	500	–	–	—		
Tourama	7,000	–	–	10,000	–	–	707	10	–
Waterloo	6,000	–	–	7,500	–	–	1,031	5	–
Orange Hill	4,000	–	–	6,000	–	–	886	13	4
Lot 14	2,800	–	–	3,000	–	–	16	13	4
Rabacca	4,000	–	–	4,000	–	–	—		
Langley Park	5,000	–	–	6,500	–	–	661	–	10
£.	29,300	–	–	37,500	–	–	3,303	2	6

(signed) *D. Cowie,* *James R. Bascom,* } Appraisers.

(A true copy.)

37,500
29,300
8,200

(signed) *T. W. Creaser,*
Secretary Board in Aid St. Vincent.

— No. 44. —

COPY LETTER from *J. S. Brickwood*, Esq., to Lieutenant-Governor *R. G. MacDonnell*, St. Vincent.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 15 August 1854.

WITH reference to your letter of the 25th June last (No. 4), I am directed to request that the report of the two valuators therein mentioned to have been appointed, may be transmitted to me with all practicable dispatch, if it should not have been forwarded previously to the receipt by you of this letter.

I am, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 45. —

COPY of LETTER from *J. S. Brickwood*, Esq., to *Jas. Wilson*, Esq., M.P.

Hurricane Loan, Dominica.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 17 August 1854.

IN compliance with your request at the conference which Mr. Barnes and I had with you on the 7th inst., I send a statement showing the effect in reference to the balance remaining unpaid of the loan of 10,000 *l.* advanced for the public service of Dominica, if the sanction of Parliament were to be obtained for a reduction of the rate of interest from 4 to 3 per cent., and for the principal and interest to be discharged by a fixed annual payment during a series of years.

The balance unpaid of principal is - - - - -	£.	5,404	13 2
(In the resolution of the Council and Assembly of the island by mistake mentioned as 5,000 *l.*)			
Interest thereon, from 9 November 1847 to 31 December 1853 - - - - - - - - - -		1,327	18 2
	£.	6,732	11 4

To discharge that amount with interest on 5,404 *l.* 13 *s.* 2 *d.* from 31 December 1853, at 3 per cent., by a fixed annuity in

10 years, would require per annum - - -	£.	767	–	–
20	„	„ - - -		430	–	–
30	„	„ - - -		320	–	–
40	„	„ - - -		268	–	–
50	„	„ - - -		237	–	–

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 46. —

COPY LETTER from *W. H. Stephenson*, Esq., to the West India Relief Commissioners.

Gentlemen, Treasury Chambers, 21 August 1854.

I AM commanded by the Lords Commissioners of Her Majesty's Treasury to transmit for your consideration, and report theron, a further application from Mr. A. Gerrard, for the remission of a West India Hurricane Loan, and I am directed to call your particular attention to the statement that the owners have been left in ignorance of the intentions of your Board as to the sale of their estate.

I am, &c.
(signed) *W. H. Stephenson.*

Enclosure in No. 46.

Rocksoles House, by Airdrie,
25 July 1854.

Sir,

As I understand that the subject of the West India Hurricane Loan is shortly to be brought before the notice of the House of Commons, you will, I hope, excuse my once more addressing you a few lines in support of the appeal to the clemency of Her Majesty's Government on the part of the unfortunate debtors to the Crown.

The arguments in support of a very considerable, if not a total remission of the debt in question, have been so often stated, that I will not trouble you by a repetition of them.

Permit me, however, briefly to call your earnest attention to the following facts:

1. The mortgaged estates have suffered a depreciation of ninety per cent. (as recent sales can prove), directly in consequence of legislative enactments.

2. The British market has been of late years supplied with a considerable part of its sugar at a rate below the cost of production. That difference in price has been partly paid out of the pockets of those now throwing themselves upon the mercy of Her Majesty's Government.

3. Those estates have been kept in cultivation entirely by means of considerable sums of money expended on them, derived from other sources. I am prepared to show that in the last seven years I have expended on my estate (which is a small one), 1,130*l.* 9*s.* 1*d.*

4. At the present time West India planters are placed in a singularly disadvantageous position.

The cost of production is enormously increased in consequence of the great rise in the price of stores of every description, rate of freight, and of negro labour, the planters being obliged to give in to the demands of the Negroes for higher wages, on the score of the raised price of provisions. Whilst every other article of consumption has risen in value in a like degree, sugar alone has remained stationary; a deficient crop last year has still further increased the difficulty of the planters. In St. Vincent, at all events, this has been the case: my accounts for last year, lately closed, show a deficit on the year of 316*l.* 10*s.* 8*d.* Surely, Sir, in the name of justice and fair dealing, it never can be the intention of Her Majesty's Government to press for payment of this debt in the face of facts like these, and when the exaction of even a portion of that debt must carry ruin along with it. Surely we have a right to expect that the Crown will be a generous creditor at least. Allow me, Sir, further to call your attention to the course apparently about to be followed by the Hurricane Loan Commissioners in enforcing payment of the debt.

If Her Majesty's Government should still think that the interests of the country require that the debt should be exacted (even at the cost of the ruin of her debtors), I think it is only reasonable to ask that we shall be candidly told what course is intended to be adopted in selling the estates, in order, at all events, to let us have the miserable alternative of bidding for our estates, when put up for sale. So far from this being done, we have been hitherto kept in a state of complete mystification as to the probable time and mode of their being put up for sale.

The inevitable consequence will be, that parties on the spot who can command a trifling sum, will be able to buy up the estates for whatever they will fetch, without the owners being able to compete with them.

That there are persons in the islands eagerly looking out for such opportunities is beyond doubt. I have been informed by last mail by a gentleman of St. Vincent, of as great experience and character as any in that or any other island, that he knows that parties have been at work, urging the immediate sale of the estates upon the Commissioners, in order doubtless that they themselves may get the benefit. I beg, Sir, most earnestly and solemnly to warn you of such intentions, and I do so the more strongly, because I know that you would never countenance such an unjust and ungenerous mode of proceeding, nor would wish to trample more heavily than is needful upon those sufficiently crushed by misfortune. Surely, Sir, if Her Majesty's Government think that a sense of duty points out, and the interests of the country committed to their hands require the sale of these estates, it is not too much to ask that the lawful owners who have for years been making large pecuniary sacrifices to keep them up, shall be at least put on the same footing to bid for them as designing parties on the spot. It is not, I think, unfair to ask that they shall have the choice given to them of repurchasing them at the present depreciated value, instead of letting them fall into the hands of greedy and intriguing speculators, who hope to build up their fortunes on the ruins of their unlucky predecessors. If only a portion of the debt can be recovered by the Crown, it would be hard were a third party allowed to step in and be the sole gainer in the transaction.

I have, &c.
(signed) *Arch. Gerard.*

To the Right Hon. W. E. Gladstone, M.P.,
&c. &c. &c.
Chancellor of the Exchequer.

— No. 47. —

COPY LETTER from Lieutenant-Governor *R. G. MacDonnell*, St. Vincent, to *J. S. Brickwood*, Esq.

(St. Vincent, No. 13.)

Sir, Government House, 26 August 1854.

1. I HAVE the honour to transmit, for the information of the West Indian Islands Relief Commissioners, copy of the appraisement by Messrs. Cowie and Bascom of the Cheltenham Estate in the island of Mustique, and of Richmond and Dalvey Estates at the Leeward side of this island. Enclosure No.

2. I also enclose copies of the respective Diaries kept by those gentlemen whilst engaged in the duty of valuing the above estates. Enclosures No. and 3.

3. In reference to Dalvey and Richmond Estate, I had, I confess, expected that a higher value would have been put on it; but on further consideration, I am inclined to agree with the appraisers in regarding the capability of an estate for cultivation by instrumental husbandry, as forming at present the best criterion of its future value.

In point of beauty, salubrity, situation, and abundance of labour, I should myself prefer Richmond Estate to any estate on the island.

4. As it was necessary for Messrs. Cowie and Bascom to hire a vessel to go to Mustique, and proceed from thence to Richmond, a voyage which occupied several days, I regret to say that it was quite impossible for Mr. Cowie, who had other important matters to attend to, to devote sufficient time to his duties as appraiser to enable him to accomplish the valuation of the remaining encumbered estates, a task which cannot therefore be now completed till next mail.

I have, &c.
(signed) *Richard Graves MacDonnell*,
Lieutenant-Governor.

Enclosure 1, in No. 47.

Appraisement of Cheltenham Estate - - - - - £. 300 - -

12 August 1854. (signed) *D. Cowie*, *James R. Bascom*, } Appraisers.

Appraisement of Richmond and Dalvey Estates:

Stock - - - - - - - - - -	£. 444	3	4
Estates - - - - - - - - -	5,500	-	-
	£. 5,944	3	4

16 August 1854. (signed) *D Cowie*, *James R. Bascom*, } Appraisers.

(A true copy.)

(signed) *Thomas W. Creaser*,
Secretary of the St. Vincent Board in Aid.

Enclosure 2, in No. 47.

(COPY of DIARY.)

12 August 1854.—Visited and inspected *Cheltenham Farm Estate* in the island of Mustique. Sugar works entirely dismantled; dwelling-house large, but in bad repair; no cultivation on estate, and no stock belonging to it; excellent pasturage at this season of the year, but great scarcity of water and food for stock during the dry months. Informed by the person in charge that it is often necessary to get water, cane tops, hay, &c., brought over from St. Vincent to keep the stock alive; could not ascertain the number of acres on the estate, there being no diagram of it.

Appraised by Messrs. Cowie and Bascom at 300 *l.* sterling.

(signed) *D. Cowie*, Appraiser.

15 and 16 August.—Visited and inspected *Richmond Estate.*—A fine property, but rapidly deteriorating in value from want of cultivation. According to the plan, the estate (including "Dalveys") comprises 550 acres, about 175 of which are available for cane cultivation.

"Dalveys," an extensive tract of hilly land, now only used as provision grounds for the labourers, is not adapted for cane cultivation, in consequence of the difficulty of access to it, the only approach being along the rocky and rugged bed of the Walliboo river, on which no permanent cart road could be made; it would make an excellent stock farm.

There are only 12 acres of plant canes on Richmond Estate for crop 1855, and these are very late. The ratoon canes had been entirely neglected until recently, and are much overrun and choked with weeds. No manure has been applied for crop 1855, which must be a small one, probably not exceeding 80 hogsheads of sugar; the quantity shipped this year was 180 hogsheads.

The soil is rich, easily tilled, and yields a good return. A great portion of the arable land is level, or nearly so; but on many of the fields there are so many rocks and large stones, that the adoption of implemental husbandry would be rendered very difficult, if not altogether impracticable.

The mansion-house is a very commodious and substantial stone building, in excellent repair; it is beautifully situated, and commands a fine view of the estate.

The works, which are within a quarter of a mile of the Shipping Bay, are substantial, and capable of taking off a large crop. The mill is vertical, with four rollers, driven by a powerful cast-iron wheel, and a never-failing supply of water. The beam supporting the spindle of the mill is decayed, and requires to be renewed; in all other respects the mill seems to be perfect of its kind, and quite capable of grinding canes to make three hogsheads sugar per day.

The still is very imperfect, and gives a poor return. It is much patched, and quite incapable of making a large rum crop.

Megass-house, pens, tradesmen's shops, and other outbuildings, are good on the whole.

There is a large creole population located on the estate, and abundance of labour can be procured at a very moderate rate of wages.

A beautiful stream (in which there is excellent mullet fishing) flows through the estate, from which, by a short canal, the works are most copiously supplied with water.

There is a substantial brick building at the Shipping Bay for storing produce and estate's supplies; also several good dwelling-houses, which were (according to information received from the manager of the estate) built by their occupants, who rent the land from the estate, and pay for it chiefly in labour.

The estate is situated on the North-western or Leeward coast of the island, where there is seldom, if ever, any difficulty in shipping produce or landing estate's supplies.

Stock indifferent, and appraised as under:—

8	mules,	at	90	dollars	each	-	-	-	-	-	£. 150	– –
2	horses	„	20	„		-	-	-	-	-	8	6 8
1	ditto	„	60	„		-	-	-	-	-	12	10 –
1	colt	„	80	„		-	-	-	-	-	16	13 4
14	oxen	„	48	„		-	-	-	-	-	140	– –
16	cows	„	24	„		-	-	-	-	-	80	– –
10	young stock, at 10 dollars each					-	-	-	-		20	16 8
2	asses, at 20 dollars and 8 dollars each						-	-	-		5	16 8
16	sheep	„	3	„	each	-	-	-	-	-	10	– –
								TOTAL	-	-	£. 444	3 4

Estate (exclusive of stock) appraised at - - - £. 5,500 – – sterling.

(signed) *D. Cowie,* Appraiser.

Enclosure 3, in No. 47.

(DIARY.)

12 August 1854.—Inspected *Cheltenham Estate,* in the island of Mustique. Find it has been for many years abandoned; works all entirely destroyed; mansion-house in a very dilapidated condition. Informed that this estate, and the island generally, is subject to severe droughts; entirely dependent on rain-water for all purposes, there being not the smallest spring on it. The whole estate grown up in bush, with the exception of four or five acres planted in provision by the Negroes. This estate, in my opinion, can only be made available as pasture for stock; no stock belonging to it. Learned that it was at this time rented as pasture land for 50 *l.* per annum.

Valuation - - - - - - - - - £. 300 – –

15 August 1854.—Rode over and examined the cultivation on *Richmond and Dalvey Estates.*—Find Richmond decidedly retrograding; indeed cultivation appears to have been altogether suspended for some time, but is at present being carried on. The young canes generally plants and rattoons very grassy; crop for the present year all reaped; prospects for next very poor, scarcely more, I should think, than half of this year's crop, which was 180 hogsheads sugar and 32 puncheons rum. According to the plan of the estate, about 175 acres arable land, of which about 130 or 140 acres in cultivation. Nearly half of the cultivated land steep hill side, and laborious both for cultivation and for reaping; the remainder quite level, but some of this rather stony. Soil, on the whole, appears to be good, and easily worked. Fine stone-wall mansion-house, in good repair; works and buildings all substantial, and in good order. Iron water-wheel, and four-rollers' vertical mill; a beam in mill not good, but nothing very material. A large still, but in bad order, as the small crop of rum would show. Never-failing supply of water for driving mill and all other purposes. Cartage to Shipping Bay very short and easy; abundant supply of located labour. Stock inferior, and a moderate supply.

Dalvey forms part of Richmond provision and pasture lands; no cane cultivation on it. The land all very steep and rocky, and, except as pasture, of no value. Neither stock or buildings of any description on it.

Richmond stock valued as follows:—

4 horses	£.	37	10 –
8 mules		150	– –
14 oxen		140	– –
16 cows		80	– –
10 young horned cattle		20	16 8
2 asses		5	16 8
16 sheep		10	– –
TOTAL	£.	444	3 4

The estate, exclusive of stock, valued at - - - £. 5,500 – –

(signed) *Jas. R. Bascom.*

(A true copy.)

(signed) *T. W. Creaser,*
Secretary of St. Vincent Board in Aid.

Appraisement of Cheltenham Estate - - - - £. 300 – –

12 August 1854. (signed) *D. Cowie,* *Jas. R. Bascom,* } Appraisers.

Appraisement of Richmond and Dalvey Estates.

Stock	£.	444	3 4
Estates		5,500	– –
TOTAL	£.	5,944	3 4

16 August 1854. (signed) *D. Cowie,* *Jas. R. Bascom,* } Appraisers.

—No. 48.—

COPY LETTER from same to same.

Hurricane Loan.

(St. Vincent, No. 14.)

Sir, Government House, 26 August 1854.

1. I PERCEIVE in your letter of the 17th May, addressed to James Wilson, esq., copy of which letter has reached me through the Colonial Office, that you mention Layou Hill as one of the estates which the Commissioners consider ought to be brought to an immediate sale, no application for time, or other communication on the subject of that estate having reached the Commissioners.

 2. I therefore

2. I therefore think it my duty to lose no time now in transmitting copy of a letter which I have recently received from a Mr. Raggie, who appears to have some claim as executor on the property, and to whom I was till lately unable to deliver the letter addressed by you last January to the heirs of Cowdray, the mortgagor of Layou Estate.

3. Mr. Raggie now offers to pay the sum at which the estate may be appraised. It has long ceased to be a sugar estate, but, as building property, is of some value.

4. I am therefore anxious to know the wishes of the Commissioners as to the reply which they desire to be given to Mr. Raggie. As I never heard of Mr. Raggie before, I think whatever dealings may be entered into with him should be for ready money.

I have, &c.
(signed) *Richard Graves MacDonnell,*
Lieutenant-Governor.

Enclosure in No. 48.

Your Excellency,

On the evening of Monday, 21st ultimo, I received a letter from James Crosby, Esq., who informed me that you requested him to deliver the same to me. On opening the letter, I found that it was dated 30 January 1854, and that an answer should have been given on or before the 1st of May last. The subject relates to the Crown mortgage against the Layou Hill Estate, that an immediate settlement are required to be made to the Commissioners.

Hoping that the matter is fully known to you, and I having the estate in possession, will now make my proposal: whatever was of value on the said estate was sold by Charles H. Cowdrey before his death, from whom I received possession as executor, nothing remaining that is of worth, save the land, 95 acres.

As the loan is far above the worth of the estate, I am not able to take up the same, but, if allowed, will pay to the Commissioners the appraised value of the said estate. I beg that your Excellency will take into consideration the time the letter reached my hands, which was nearly seven months after it was dated.

May it please your Excellency to favour me with a reply, and the same time humbly praying you would pardon me if I have erred in writing to you on this subject; my only reason for allowing myself the liberty is, that I understood the letter was from you.

I am, &c.
(signed) *J. Raggie.*

Layou, 23 August 1854.

(A true copy.)

(signed) *T. W. Creaser,*
Secretary to St. Vincent Board in Aid.

— No. 49. —

Copy LETTER from *Theodore Gordon*, Esq., Secretary of the Commissioners in Aid in Dominica, to *J. Strettell Brickwood*, Esq.

Loan Commissioners in Aid Office.

Sir, Dominica, 28 August 1854.

I received on the 21st instant your letter of the 31st July, and which was submitted to the Loan Commissioners in Aid on the following day.

I am desired to acquaint you that the Commissioners are prepared to carry out the instructions contained in that letter, so far as regards the foreclosure of the mortgage on the Geneva and Nelson Rest Estates, when they are informed how they are to be supplied with the means necessary to carry on the suit, and for which purpose the Attorney-general has given it as his opinion, that a sum from 150 *l.* to 200 *l.* should be placed at the disposal of the Board.

I am, &c.
(signed) *Theod. Gordon*, Secretary.

— No. 50. —

COPY LETTER from *J. S. Brickwood*, Esq., to Lieutenant-Governor *R. G. MacDonnell*, St. Vincent.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 30 August 1854.

YOUR despatch No. 7 was duly received on the 16th instant, and your further despatches Nos. 8 to 12, both inclusive, have this day arrived.

Upon receipt of the promised valuation of other estates for which loans have been advanced, a meeting of the Commissioners will be immediately convened for taking into consideration the whole of the correspondence with you, and a communication will afterwards be made to you on the different subjects and further proceedings.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

— No 51. —

COPY LETTER from *J. S. Brickwood*, Esq., to *Jas. Wilson*, Esq., M.P.

Belle Vue Estate, St. Vincent.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 31 August 1854.

I HAVE the honour to acknowledge the receipt of a Treasury letter, dated the 21st instant, enclosing, for the consideration and report of this Board, a further application from Mr. A. Gerard for the remission of the loan charged on Belle Vue Estate, St. Vincent, and drawing particular attention to the statement that the owners had been left in ignorance of the intentions of this Board as to the sale of the estate.

A short statement of the facts will show that Mr. Gerard's complaint is without foundation, and that from the practice of this Board, in cases of a like nature, the evil anticipated by him, of not having an opportunity of bidding for his estate, if offered for sale, is not likely to arise.

In September 1833 a loan of 1,700 *l.* was advanced on security of the above-named estate, at 4 per cent., and the interest was paid thereon to September 1844.

Repeated applications were made to Mr. Gerard and his merchants for payment, and a negotiation was commenced by him for availing himself of the provisions of the Acts of Parliament extending the time for repayment, but was never carried out, by reason of Mr. Gerard not complying with the precedent condition of paying up all arrears of interest.

In January last Mr. Gerard was informed that unless all interest then due were paid, and an arrangement made for the gradual liquidation of the principal, or compounding the Crown's claims, proceedings would be taken for bringing the estate to sale.

In April Mr. Gerard offered 400 *l.* in discharge of the loan and interest, and he was apprised that such offer would be submitted to the Commissioners at their next meeting; but that as he did not forward any evidence of the then estimated value of the property, it would be necessary to communicate with the Commissioners in Aid in St. Vincent before any decision could be come to thereon.

This answer was transmitted on the 28th April, and on the 4th May Mr. Gerard wrote, that as his offer was not immediately accepted without any evidence of value, he withdrew it.

Mr. Gerard has made no further communication nor any inquiry as to whether it was intended to bring this estate to sale, or when or where. If he had done so, he would have received every information that could be given.

No steps have hitherto been taken, because there was, for some time, a difficulty in reconstructing the Board of Commissioners in Aid in St. Vincent, and this

Board refrained from taking any active steps until the subject of enforcing the payment of these loans had been considered by the Lords of Her Majesty's Treasury, and subsequently by Parliament.

The Commissioners are now only waiting for the arrival of a report from St. Vincent (which is expected by the next packet) as to the estimated value of the different estates, and the Commissioners will then decide which estates should be brought to sale, as it is considered inexpedient to bring too many into the market simultaneously.

Should Mr. Gerard's be one of the estates selected, he will, according to the general practice of the Commissioners, be apprised thereof before the instructions are transmitted to St. Vincent for instituting proceedings.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 52. —

Copy LETTER from Lieutenant-Governor *R. G. MacDonnell*, St. Vincent, to *John Strettell Brickwood*, Esq.

Board in Aid.

(St. Vincent, No. 15.)

Sir, Government House, 9 September 1854.

Although I am unable to send as yet the complete diaries and valuations of Messrs. Cowie and Bascom, owing to the former gentleman having been much pressed by business, I nevertheless have thought it better to obtain from those gentlemen, and forward by this mail, the enclosed return of the amounts at which they have valued the six remaining indebted estates on the windward side of the island. By the following mail I shall be able to send the diaries of the valuators referring to the particulars of the estates enumerated in the enclosed return, together with the valuation of the remaining estates to leeward.

2. It is impossible to peruse the enclosed return, and perceive the insignificant value of the properties included in it, compared with their former value, without admitting the absurdity of the cry which has been attempted to be raised of the harsh treatment of West India proprietors by Her Majesty's Government in calling in the Hurricane Loans.

3. All the estates in the enclosed list are, I believe, encumbered with debts to other parties to an amount exceeding their present value. The weakness which would therefore yield to an idle clamour, and deprive the colony of a fair chance of obtaining some resident and monied proprietors by the absolute sale of those properties, would confer no boon on the West India proprietor: he has no real interest in those properties, though his mortgagees compel him to complain and cry out as they dictate. Supposing, for example, the Commissioners were to compound the Government claim of nearly 3,000*l.* on the Three Rivers Estate, which is valued at only 1,500*l.*; and supposing they were to declare their willingness to accept 1,000*l.*, instead of 3,000*l.*; who would benefit by such apparent lenity? Certainly not the proprietors, but the other mortgagees, for whose benefit the public money would thus be thrown away, and the preferable claim of the British Government waived.

4. Already it is rumoured in this colony that the Government claims on the large estates in the Charaib country are to be compromised, and "things to go on in the old way," which simply means, that the mortgagees and attorneys are to draw all they can out of the land in the same slovenly and wasteful mode as formerly, and with as little regard as ever to the prosperity and well-being either of the people or the colony.

5. As governor, I cannot but regret this result of a once promising opening for a better state of things. The abandonment of the entire Government claim on the ground that West India property had been depreciated by British legislation would have been intelligible generosity: it would have been founded on a principle.

6. I fear, however, that when the British Government assumes the character of a creditor, and half enforces, half postpones a clear right to a fair debt, it only gives public money to parties not entitled to it, without affording any relief to the nominal proprietor. Thus a vicious system is prolonged, which deprives the colony

colony of capital to develop its agricultural resources, and of resident proprietors who might look after their own affairs with their own eyes, and take an interest in the people and the place.

I have, &c.
(signed) *Richard Graves MacDonnell,*
Lieutenant-Governor.

Enclosure in No. 52.

The following Estates have been thus Appraised by the Undersigned Valuators.

Estates.	By D. Cowie.			By J. R. Bascom.			Stock.		
	£.	*s.*	*d.*	£.	*s.*	*d.*	£.	*s.*	*d.*
Bellevue - - - - - -	2,500	–	–	2,500	–	–	—		
Three Rivers - - - - - -	1,500	–	–	1,500	–	–	—		
Henry's Vale - - - - - -	1,600	–	–	1,700	–	–	—		
Peruvian Vale - - - - -	2,000	–	–	2,000	–	–	—		
Argyle - - - - - - -	4,000	–	–	6,000	–	–	—		
Calder - - - - - - -	3,000	–	–	3,000	–	–	—		
Calder Ridge - - - - - -	1,000	–	–	1,000	–	–	—		
Carapan - - - - - -	2,500	–	–	2,500	–	–	475	4	2

D. Cowie,
James R. Bascom, } Appraisers.

— No. 53. —

Copy LETTER from *J. S. Brickwood,* Esq., to Lieut.-Governor Major *Blackall,* Dominica.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 19 September 1854.

I have the honour to enclose a copy of a letter received from Mrs. Giraud, proposing to compound the loan of 500 *l.*, with interest thereon at 4 per cent., from 13th June 1844; and the further loan of 200 *l.*, with interest thereon from 16th April 1845, charged on Point Guignard Estate, in the parishes of St. Luke and St. Mark, Dominica, by payment of 60 *l.*, and I am to request you will favour this Board with your opinion as to the present estimated value of the estate, and the expediency of accepting or rejecting that offer.

I am further directed to enclose a copy of a letter from the secretary of the Commissioners in Aid in Dominica, and in requesting your opinion and report thereon, I am to express the surprise of this Board that the proceedings by the Commissioners in Aid, relative to the foreclosure of the Crown's mortgage upon Geneva and Nelson's Rest Estates, should have been delayed, and made conditional upon the Commissioners in Aid being informed how they are to be supplied with funds for carrying on the suit, and requesting that 150 *l.* or 200 *l.* should be placed at the disposal of that Board.

I am further directed to state, that the practice in cases of this nature in other West Indian islands has been to defray the expenses incurred out of the proceeds of the property sold, and that it is not usual for the Treasury to issue money for payment of expenses before they are incurred, or before the amount of law charges have been certified by the proper officers as correct.

If expenses should be properly incurred, which the proceeds of the property are insufficient to discharge, the Lords of Her Majesty's Treasury would in the usual manner, upon the application of this Board, direct the issue of money to defray such expenses.

I have, &c.
(signed) *J. S. Brickwood,* Secretary.

Enclosure 1, in No. 53.

Sir, Dominica, 20 August 1854.

As it is utterly impossible for the proprietors of the Point Guignard Estate in this island to liquidate the amount of the loan and interest thereon received by the said estate, and as the late Mr. Giraud, my husband, the person who contracted the loan, has departed this life, leaving me a widow with three helpless children, I am induced to make known my condition to you, explanatory of the offer which I am about to make.

In the first instance, I have to state that the estate is nearly abandoned; the crop of canes thereon will not realize more than from 40 to 50 barrels of sugar, when manufactured, one-half of which must go to the labourers, as the estate is cultivated in the *moiterie*, or share system: the works are dilapidated; the mill requires new rollers: the boilers are bad, and require to be renewed: there are no stock on the estate. Under these circumstances, if the Commissioners will accept 60 *l.* in full liquidation of the loan and interest, I shall endeavour to pay that amount.

I am, &c.
(signed) *L. R. C. Giraud.*

To J. Brickwood, Esq.,
Secretary to the Loan Commissioners for
West India Relief, London.

Enclosure 2, in No. 53.

Vide Letter No. 49.

— No. 54. —

Copy LETTER from Lieutenant-Governor *R. G. MacDonnell*, St. Vincent, to *J. S. Brickwood*, Esq.

(St. Vincent, No. 16.)

Sir, Government House, 25 Sept. 1854.

As I perceive from your letter of the 30th August, received per last mail, that the Commissioners only await the receipt of the complete valuation of the indebted estates, to "take into consideration the whole of the correspondence with me," I very much regret that I am unable to complete by this mail the information required, owing to one of the valuators (Mr. Cowie) being at present seriously ill.

2. I regret this the more, because I attribute his illness to his wish to oblige me by completing the valuation for this mail; and with that view, riding long distances at a time when his health was unequal to the task, especially as his duty took him through districts heavily visited by cholera, to which disease, or rather to a disease nearly resembling it, he has almost fallen a victim.

3. The Commissioners, however, are already in possession of the several amounts at which all the most valuable of the indebted estates in this island have been appraised. The estates as yet unappraised are the Spring, the Grove, Westwood, Mount Hope, Layou Hill, Mount Alexander, Sharpe's and Petit Bordell, and Golden Grove.

The first five of those estates are of comparatively little value, and, except Mount Hope, are abandoned as sugar estates; so much so, that it is doubtful whether Her Majesty's Government could obtain 2,000 *l.* for the whole five, whilst it is unlikely that the last two would together fetch 4,500 *l.*

All those estates, except perhaps Westwood, which was recently sold to pay its debts, are indebted to other parties in amounts much exceeding the Government loans.

4. Under these circumstances, I would suggest that there is now sufficient evidence before the Board as to the present value of the indebted estates compared with the amounts lent by the British Government, to enable the Board to decide as to the principle which ought to guide their further proceedings.

5. A review of my own despatches will show that in my humble judgment, and I may add in that of the "Board in Aid" here, as well as of the great majority of persons in the colony, who have no interest either in maintaining the system of attorneyships, or in procuring for subsequent mortgages, a "bonus" in the shape of a remission of the prior claims of the Crown, no benefit will be conferred on the nominal proprietors by keeping the estates out of the market, whilst such a course will

will seriously injure the colony, by prolonging an iniquitous system of absenteeism, and by leaving estates under the control of trading mortgagees and attorneys, with whom the real improvement, either of those estates, or of the people who live on and near them, as well as of the colony in general, are very secondary considerations.

6. To a person residing here, it appears extraordinary how the public mind in England can have been so misled as would appear from the public journals to be the case, by the idea that there is a large proprietary body here, and in the other West India colonies, to whom the remission of the Government claims would necessarily prove a direct benefit. If every proprietor were to gain 100 *l.* for every 100 *l.* so remitted, I should regard the system of compromise, and the abandonment of Imperial claims as expedient and defensible, on the ground of being a reparation for the deterioration of property caused by the necessities of Imperial legislation, and not as the prolongation of an effête and worthless system, which ruins the colony, without benefiting any one but the parasitical appendages to estates which now eat into those properties, and which that system has created.

7. Of one thing, however, I am quite certain, namely, that whatever instructions the Commissioners may issue, they will be actuated by a thoroughly upright wish to fulfil their duty in a matter of great nicety and difficulty. I also feel that they have opportunities which I do not possess of acquainting themselves with the reasons on which certain views opposed to mine may be defended; and that they are bound, in choosing a principle of action, to adopt a view not limited by reference to any particular colony, but rather one applicable, as far as may be, to all which have shared in the loans advanced by Great Britain.

8. I can only say, as a conclusion to the observations with which I mean to urge my own views, or those of the Board in Aid, on the Commissioners, that I have throughout written with great, and in some respects an unusual, frankness, for an official correspondence; but I felt assured I was writing to those who would not misunderstand the natural sympathy I must feel for the restoration, even to partial prosperity, of a colony so beautiful and fertile, and so favoured by advantages of climate and posit ion as this.

9. I can devise no means to effect that object so sure and so simple as giving a resident proprietary to the colony. I had hoped the Board might have aided me in promoting that object, by throwing into the market the largest estates in the island; and I naturally deplore the stagnation created by the uncertainty permitted to hang so long over the destinies of those properties, which, if purchased, even at a cost of more than double the highest valuation put on them by the appraisers of the Board in Aid, would nevertheless, in my opinion, yield 10 per cent. on his purchase-money to any purchaser of ordinary energy, and willing to reside in the colony.

I have, &c.
(signed) *Richard Graves MacDonnell,*
Lieutenant-Governor.

— No. 55. —

Copy LETTER from Lieutenant-Governor of Dominica, Major *Blackall*, to *J. S. Brickwood*, Esq.

Colamber, Edgeworthstown, Ireland,
Sir, 25 September 1854.

I have the honour to acknowledge the receipt of your letter of 19th September, enclosing copy of a letter from Mrs. Giraud, of Point Guignard, in the island of Dominica, and one from the secretary to the Commissioners in Aid in the same island.

I am asked, with respect to the first of these letters, to give my opinion as to the present estimated value of the Point Guignard Estate, and the expediency of accepting or rejecting the offer made of a payment of 60 *l.* for the principal and interest now due, amounting to about 1,100 *l.*

I think, considering the favourable situation of the estate, being near the sea, and a very short distance from the town of Roseau, the value may be estimated as far beyond 60 *l.* At the same time I believe all that is stated in Mrs. Giraud's

letter to be quite correct, that Mr. Giraud did struggle against great difficulties, and that the sale of the estate would leave his widow and family penniless. The expense of bringing the estate to a sale should also have some weight, and, taking all matters into consideration, I should be inclined to advise the Commissioners to deal leniently, and accept this offer.

With respect to the letter from the Secretary of the "Commissioners in Aid" in Dominica, requesting that the sum of 150 *l.* or 200 *l.* should be placed at the disposal of that Board for the purpose of defraying the expenses of foreclosing the mortgage on the Geneva and Nelson's Rest Estates, I am under the impression that what was intended to be conveyed was, that the necessary preliminary expenses should be advanced, and a guarantee given of ultimate payment in case of failure. I do not conceive that the preliminary expenses could be anything near the amount mentioned; but some outlay must be incurred, and I doubt the Attorney-general, on his salary of 300 *l.* per annum, being in a position to meet them; neither could he afford to devote his time to this business without some security of payment, and though, no doubt, if the property be brought to a sale, the legal expenses will be paid out of the proceeds, I imagine the Attorney-general and the "Commissioners in Aid" have as little reliance, as I am sorry to say my experience permits me to have in the issue of an appeal to a jury in Dominica, when their prejudices or feelings may be excited, no matter how clearly the law may be expounded by the judges, and it is to guard against a loss which would be thus sustained that the Commissioners have requested the advance. If I were consulted, however, or had I been on the spot, I should have advised the Attorney-general to proceed, trusting to the sense of justice on the part of the Commissioners to remunerate him, provided his services were fairly given, and failure could not be attributed to want of exertion on his part. This course I shall still be prepared to advise should the Commissioners wish it, and as the Court of Common Pleas in Dominica will not now sit until March 1855, no time will have been unnecessarily lost.

If I have omitted any point on which the Commissioners wish for explanation, I shall be happy to supply it.

I have, &c.
(signed) *Samuel W. Blackall.*

— No. 56.

Copy LETTER from Lieutenant-Governor *R. G. MacDonnell*, St. Vincent, to *J. S. Brickwood*, Esq.

(St. Vincent, No. 17.)

Sir, Government House, 26 September 1854.

1. I enclose, for the information of the Commissioners, the diary of Mr. Bascom, explanatory of the valuation of the six Windward Estates, transmitted in my despatch No. 15, of the 9th instant; Mr. Bascom's diary includes also the estate of Layou Hill, to leeward, valued at 335 *l.*

2. The illness of Mr. Cowie, the other appraiser, as explained in my despatch of the 25th instant, prevents my transmitting to you his explanations of the discrepancies between himself and Mr. Bascom, and I doubt whether it will be possible for Mr. Cowie to resume his duties previous to the departure of the next packet, in which case I purpose requesting Mr. Bascom to finish the valuation of the remaining Leeward Estates.

3. You will observe that, at Layou Hill, Mr. Bascom speaks of a village built on ground belonging to the estate at the time of the Hurricane Loan, and therefore still liable to be sold by Government.

4. The same observation applies to Carapan Estate also; and, as the valuation of the leeward quarter proceeds, the Commissioners will have occasion to observe in almost every estate to leeward, that some portion of the land has been sold either for the erection thereon of a village, or holders of detached lots, *bonâ fide* purchasers, for valuable consideration, and in general belonging to the labouring class.

5. I would

5. I would suggest, under those circumstances, that the Commissioners should consider how they mean to deal with these persons; for although in point of law the Government has a strict right to sell the houses and lands of parties who have purchased from estates mortgaged to the Government, I cannot think it desirable that the Government should appear to that class of persons in the light of a hard, exacting creditor, seeing that few of those who paid their money to the apparent proprietor here could have been expected either to understand or examine into the title of the vendors.

6. It is right also that the Commissioners should bear in mind the probability of these parties, who are very numerous, resisting any attempt to eject them; and in the absence of troops, or other adequate physical force at the disposal of the executive, a very serious question arises as to the policy of exciting the resistance of men who, feeling that they had been innocent and *bonâ fide* purchasers, would be driven to desperation by the prospect of suddenly losing all their property.

7. I do not however anticipate any wish on the part of Her Majesty's Government to deal hardly with the above class of persons who, by the fact of purchasing lands and building houses have proved themselves to be amongst the most saving and industrious members of the community. What I apprehend is, that in the event of certain estates being brought to sale, the Commissioners will find it difficult to separate one portion of the mortgaged property from the rest; and of course, if the estate pass into the hands of a purchaser, he will buy with it all the rights of Her Majesty's Government, and may use them tyrannically.

8. It is probable that this subject has already occupied the attention of the Commissioners in cases connected with other colonies, and they have perhaps been led to adopt some fixed principle of action applicable to such matters. I have thought it right, however, to draw their attention specially to the subject, as I am anxious to be favoured with definite instructions.

I have, &c.
(signed) *Richard Graves MacDonnell,*
Lieutenant-Governor.

Enclosure in No. 56.

(Copy of Diary.)

4 September 1854.—Visited *Belle Vue.*—This is a very laborious estate, all of the land in cultivation, with the exception of three or four acres, being steep hill side. Crop this year very short, will not exceed 60 hogsheads sugar; only about five or six hogsheads of it to be reaped now. Prospect for next crop promising. No detached or mountain land belonging to this estate. Provision grounds for the labourers rented from an adjoining estate, New Gadsden's Pans and steam clarifiers erected this year. Good mill, and excellent still. All of the works and buildings are in substantial order. No cartage to Shipping Bay, the works being situated almost immediately on the bay, which is invariably very rough, and no wharf to ship from. Abundant supply of water for driving the mill. No stock on the estate; shown an entry in the journal of the sale of the stock to Messrs. Robertson & Anderson, on 27th June.

In consideration of much valuable machinery being on this estate, valued it at - - - - - - - - £. 2,500 – –

Visited *Henry's Vale Estate.*—110 acres arable land on this estate, 71 of which are in cane cultivation. The land very hilly, and subject to severe droughts, or at least it suffers severely from drought, being much exposed to the sea breeze; average crop from 75 to 80 hogsheads sugar. Works all in good order; very fine mill, all iron. In the dry season of the year, short of water for driving the mill; at present the canal is very much broken, from a land slip which took place some few months ago; still nearly new, and an excellent one. Moderate supply of labour. Stock on estate the property of Messrs. Robertson & Anderson; shown an entry in estate's books of the sale of them, 1st July last. 210 acres detached land in the interior of the island, called the Montreal Farm, the joint property of the two estates, Henry's Vale and Peruvian Vale. It is of a mere nominal value, being several miles up in the woods, with a scarcely passable way to get to it.

Estate valued - - - - - - - - £. 1,700 – –

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4 and 5 September 1854.—*Peruvian Vale.*—This estate is very similarly situated to Henry's Vale. Soil poor and shallow, very much exposed to the sea breeze, and so steep as to render it impracticable to use agricultural implements to any extent. 110 acres arable land, 90 of which are in cane cultivation. Crop finished; average crop about 110 to 115 hogsheads sugar. Superior mill, and substantial buildings generally, with the exception of the still, which is almost worn out. Short of water for driving mill in the dry season. Moderate supply of labour. Stock sold to Messrs. Robertson & Anderson, 1st July; shown an entry in the estate's books to that effect. Manager's house on ridge between the two estates; a small house beside, in very bad order; at present rented.

Valued estate at - - - - - - £. 2,000 - -

Three Rivers.—An extensive and seasonable estate, rich soil; 30 or 40 acres level land, the remainder hill side; made 50 hogsheads sugar, about 30 hogsheads now to be made; abundant supply of labour, but the rate of wages 12 ½ *d.* per day; of this I was informed by Mr. MacDowall, the lessee. Works in fair order; mill all of wood; still very bad. Cultivation all abandoned, with exception of two acres plant canes. About two miles cartage to the Shipping Bay, over a bad road; a house at the Shipping Bay belonging to the estate at present rented out; Negro houses all very bad, scarcely habitable; very good mansion house, in fair order. The mill is driven by water, of which there is an abundant supply.

Valued estate at - - - - - - - £. 1,500 - -

I should have remarked that Mr. Robert Hackshaw protested against the stock being appraised, on the ground that they were the property of Messrs. Le Gale, Graham & Co., and not of the Three Rivers Estate.

5 September 1854.—Inspected *Argyle Estate.*—Works all in excellent order: efficient mill, and good supply of water; two Gadsden's pans and steam clarifiers erected this year; centrifugals for curing sugar on the estate, but not erected; still very bad; good megass-house and stockpens; soil very fine, and greater part of the cultivated land level enough to be almost exclusively worked by agricultural implements. 107 acres arable land, of which 103 acres are in cane cultivation. Crop for this year not yet finished; made 128 hogsheads sugar; about 30 hogsheads more to be reaped. Dependent in a great measure on village or transient labour. A store at Shipping Bay, about one and half a mile from the estate. Good blacksmith's shop on this estate. Stock sold to Messrs. Robertson & Anderson.

Estate valued - - - - - - - - £. 6,000 - -

5 September.—*Calder.*—This is a steep, hilly and laborious estate, but in good cultivation. 155 acres arable land, 117 acres in cane cultivation. Crop all taken off; made 172 hogsheads sugar. Works all in good order; mill worked by a steam-engine; this I consider materially lessens the value of the estate, a larger extra expenditure being incurred for coal, tallow, oil, &c., beside the cartage of said coal. Two Gadsden's pans newly erected; still very inferior; water barely sufficient for the use of the engine, which is a condensing one. Fair supply of labour, but principally from an adjoining village. Right to ship at Stubbs' (or Conbrawaron) Bay; the same from which Argyle Estate ships produce. Stock sold, 1st July, to Messrs. Robertson & Anderson; shown an entry in estate's books to that effect.

Valued estate at - - - - - - - £. 3,000 - -

5 September.—*Calder Ridge.*—This is a small and very laborious estate, about 60 acres, in cane cultivation. Crops all taken off; made 86 hogsheads sugar; windmill; no still; entirely dependent on rain for water; works generally very moderate; they are, I was informed, to be abandoned from this year, and what canes are grown on this estate are for the future to be manufactured at Calder. Good supply of labour. Stock sold to Messrs. Robertson & Anderson, 1st July; shown an entry in the estate's books to that effect.

Valued estate - - - - - - - - £. 1,000 - -

5 September.—*Carapan.*—A very seasonable estate, but laborious, there being a great deal of hill side land, from which the canes must be brought on mules' backs to the road before being carted, thereby entailing an extra outlay for stock and drivers of said mules, beside the usual complement of carts and cartmen. (This remark is applicable to all of the hilly estates.) 122 acres arable land; 93 acres in cane cultivation. Crop all taken off; prospects for next year very good. This estate comprises 240 acres, exclusive of 60 acres mountain land, near the Marriaqua Valley, and of little value. A parcel of land, about 15 acres, was sold off the estate to labourers as a village, and a piece equivalent to that purchased by Mr. Alves, the proprietor, as a cane field. Works in good order, but on the old plan, simply a range of iron taiches. Steam clarifiers worked by the waste steam from the engine which drives the mill. Still very bad, fit for nothing but old copper. Cartage

to the shipping bay three miles, from which they have also to cart coal for the engine. A good mansion-house; fair supply of labour. Stock moderate, with exception of six Porto Rico oxen, valued as follows:—

17 oxen	£.	134	11 8
6 ditto		81	5 –
4 steers		15	– –
2 calves		2	14 2
7 cows		29	3 4
12 mules		212	10 –
TOTAL	£.	475	4 2

Estate (exclusive of stock) £. 2,500 – –

18 September.—Visited *Layou Hill Estate*.—The whole of this estate (I was informed by a Mr. Raggae, who has charge of it) consists of 95 acres of land, situated on the top and sides of a steep hill.

Nothing but a few old walls mark the place where the sugar works formerly stood. No cultivation, except five or six acres arrowroot, and a few provisions. 10 or 15 acres of the land, which runs down to the sea, is valuable, if sold as building lots; that on the hill of very little value, except as provision grounds, and all of it not even fit for that purpose. The land on which the town or village, called Cowdrey Town, near Layou, is built, was sold by R. Cowdrey (I am informed by Mr. Raggae) subsequent to the loan granted by the Government, and has on it 63 wooden houses, principally of two rooms each, which, if sold separately, would realise from 5 *l.* to 12 *l.* each; sold in a lot, they would be worth about 6 *l.* each. The difficulty is not to find purchasers in the Negroes, but to get the money from them.

Valued estate (exclusive of houses) £. 335 – –

(signed) *James R. Bascom*, Valuator.

— No. 57. —

COPY LETTER from same to same.

(St. Vincent, No. 18.)

Sir, Government House, 26 Sept. 1854.

I HAVE to state, for the information of the Commissioners, that I have been obliged to avail myself of Mr. W. Creaser's services in a public situation of some importance, which precludes him from discharging the duties of Secretary of the Board in Aid, and Mr. George De la Poer Beresford is now acting as Secretary. I report the above because I think it right that all changes in the constitution of the local Board, and the officers whom it employs, should be communicated to the Commissioners-in-chief.

I have, &c.
(signed) *Richard Graves MacDonnell*,
Lieutenant-Governor.

— No. 58. —

COPY LETTER from *J. S. Brickwood*, Esq., to Lieutenant-Governor Major *Blackall*, Dominica.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 27 September 1854.

I HAVE the honour to acknowledge the receipt of your letter of the 25th instant, and to thank you for the opinion therein contained respecting Mrs. Giraud's offer to compound the Crown's claim against Point Guignard Estate, Dominica, and also for your suggestions upon the application of the Commissioners in Aid for an advance in anticipation of expenses to be incurred.

Both these subjects will be submitted to the Commissioners at their next meeting, with your letter.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 59. —

LETTER from *J. S. Brickwood*, Esq., to the Commissioners in Aid, in Barbados.

To his Excellency the Governor, and the other Commissioners acting in Aid of the Commissioners appointed by the Statute 2 & 3 Will. 4, c. 125.—*Barbados.*

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
30 September 1854.

Gentlemen,

The contents of your letters of the 25th March and 7th April have received careful attention.

This Board has been in communication with the Lords Commissioners of Her Majesty's Treasury relative to the loans upon estates in Barbados and the other islands; but the formation of any decision to be transmitted to you was suspended in consequence of the notice given, and so often deferred, of bringing the subject under the consideration of Parliament.

I have now to inform you that the opinion expressed in your despatch of 7th April, as to the adequacy of the security of every one of the mortgaged estates in Barbados for repayment of the loans, or the balances remaining unpaid, is highly satisfactory to the Commissioners.

Your recommendation, that a strict enforcement of the payment of all arrears of interest be made, meets with the entire concurrence of this Board.

With reference to your suggestion, that further time be given to the borrowers in Barbados for payment of the principal of the loans, and if necessary, that the authority of Parliament be obtained for that purpose, I have to inform you that, after much consideration, and after the debate in Parliament on the subject of these loans, it has not been deemed expedient to apply for further powers for the granting of additional time for repayment.

Under the authority given by the existing Acts of Parliament and the established practice of this Board, the borrowers, on payment of all interest in arrear, are permitted to repay the principal by annual instalments, terminating at the end of 25 years from the date of each mortgage.

In many cases (whilst there is no repayment of the principal) the interest which ought to be paid to entitle the borrowers to any indulgence as to the extension of time for repayment of the principal, continues to be in arrear, and the applications from this Board for payment are unheeded.

The Commissioners have fully considered your observations, that if any number of these estates were suddenly brought to sale, there would not be purchasers found for them, and that their value would be lessened to the injury of the junior creditors and proprietors; but as some of the parties interested make no arrangement for liquidation of the loans, the Commissioners are of opinion that they have no alternative but to exercise the powers vested in them by law for enforcing payment of the interest and repayment of the principal by directing a sale of the estates.

These observations more especially relate to the estates of which a list is hereto appended.

Further instructions will be forthwith sent to you respecting all, or some of these estates; and in the meantime, I am directed to request you will take into consideration whether some more expeditious course cannot be adopted for bringing the estates to sale than that pursued in the case of Long Bay and Pool, as the reasons given in your Secretary's letter to me of the 10th of June last do not appear such as to compensate for the delay entailed by the adoption of such proceedings.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

Enclosure in No. 59.

LIST of ESTATES referred to in the accompanying LETTER of 30 September 1854.

Names of Estates.	Proprietors.	Date of Mortgage.	Amount of Loan.	Amount of Principal unpaid.	Time from which Interest on unpaid Portion of Loan is in arrear.
			£.	£.	
Adam's Castle -	The Misses Adams and others.	8 Mar. 1834	5,000	4,000	8 Mar. 1847.
Brewster's - -	N. Kirton - -	31 July 1834	2,500	1,750	31 July 1853.
Bawdon's - - The River and Cabbage Tree Hall -	Sir R. A. Alleyne, Bart.	20 May 1835	10,000	8,000	20 May 1853.
Bulkeley's & Clarke's Dwelling House	T. Trotman - -	14 Feb. 1835	4,000	3,200	14 Feb. 1847.
Jordan's - -	T. Trotman - -	23 May 1835	2,500	2,500	23 May 1847.
Content - -	T. Ellis - -	20 May 1835	1,500	1,200	20 May 1854.
Cambridge - -	J. Bovell - -	29 June 1835	1,200	1,200	29 June 1853.
Portland or Scantlebury's.	J. Corbin - -	29 July 1834	3,800	3,800	29 July 1850.
Pool's or Senior's -	R. King - -	12 Aug. 1835	2,000	2,000	12 Aug. 1850.
Quintyn's - -	F. Harris - -	22 April 1834	2,500	1,750	22 April 1851.
Redland - -	J. Heath - -	5 Jan. 1836	2,000	1,800	5 Jan. 1852.

— No. 60. —

COPY LETTER from Lieutenant-Governor *R. G. MacDonnell*, St. Vincent, to *J. S. Brickwood*, Esq.

(St. Vincent, No. 19.)

Sir, Government House, 11 October 1854.

I AM at last enabled to complete the valuation of the indebted estates, by transmitting herewith Mr. Cowie's diary and appraisement of certain estates to windward, together with that of Layou Hill to leeward, which was omitted from my despatch of the 26th ultimo, for reasons therein stated. The improved state of Mr. Cowie's health enables me likewise to transmit both his and Mr. Bascom's diaries and appraisements of the remaining estates to leeward.

I forbear making any observations on these documents, being much pressed for time, but shall, if possible, write by next mail.

It is proper, however, that I should state, for the information of the Commissioners, my intention of proceeding either by the next or ensuing mail to London, being summoned there by the Secretary of State, who has done me the honour of submitting my name to the Queen for another Government.

The Commissioners may rely on my willingness, when there, to give them every information and assistance which my personal experience in this colony may enable me to afford.

I have, &c.

(signed) *Richard Graves MacDonnell*,
Lieutenant-Governor.

Enclosure 1, in No. 60.

(COPY of DIARY.)

St. Vincent, 4 September 1854.

VISITED and inspected *Bellevue Estate*.—This estate comprises 180 acres, of which 110 are arable; a great portion of it is rich and fertile land, and yields a superior quality of sugar.

It is situated on the windward or eastern coast of the island, and is contiguous to Colonarie Bay, where the produce is shipped and supplies are landed: estates shipping at this bay suffer much inconvenience and frequent losses from its exposed position, and the rough nature of the coast. The land on Belle Vue is for the most part hilly and laborious, and consequently cannot be advantageously cultivated with implements. The crop of this year, which is now almost finished, will be about 65 hhds. sugar, that of next year promises to exceed 100 hhds. The estate is in good order, and decidedly improving in cultivation; there is no mountain land attached to it, and provision grounds are rented from a neighbouring estate.

The buildings are very substantial, and the machinery, which has recently been erected at a heavy expense, is very superior; an abundant supply of water can at all times be procured from Colonarie river, which passes within a mile of the works. The mill is vertical, with wooden frame and good cast-iron water-wheel; it seems to be all sound and in good order. In the boiling-house, in addition to the usual evaporating coppers, there are two steam clarifiers and Gadsden's pans, which are heated by means of copper pipes, supplied with steam from two long boilers, hung on the same flue as the evaporating coppers. These pans, &c. work admirably, and make beautiful sugar. The still contains 600 gallons, is nearly new, and is in excellent order: the megass-house and other outbuildings are good.

I was informed by the manager that all the stock that belonged to the estate were sold, and delivered to Messrs. Robertson & Anderson on 27th June; I saw entry in estate's journal to that effect.

Estate appraised at - - - - - - - £. 2,500 sterling.

4 September 1854.—Visited and Inspected *Three Rivers Estate.*

This property is situated in the interior of the island, the nearest point of it being upwards of two miles from the eastern coast. It is an extensive estate, comprising about 700 acres, including South Rivers and the mountain land; it has recently been leased at a rental of per annum by Mr. M'Dowall, but is now almost abandoned, only two acres of canes having been cultivated for crop 1855.

There is no plan of the estate; but Mr. Hackshaw informed me that there were about 150 arable acres on Three Rivers, and 100 on South Rivers.

These were considered and worked as two separate estates previous to the hurricane of 1831; since then, only one set of works has been kept up (that on Three Rivers) to reap the crops of both. There are about 12 acres of arrowroot on South Rivers, and a small set of arrowroot works.

The greater part of the estate is very hilly and rocky, and is intersected by numerous ravines and three branches of the Colonarie river, which renders it very laborious, particularly in wet weather. There is a considerable tract of more level land on the upper part of the estate; but the cartage therefrom to the works is so long, and the roads during the rainy season, and from thesoft nature of the soil so bad, that it is scarcely available for sugar cultivation.

The buildings are good and substantial, having been thoroughly repaired within the last three years: the mill is vertical, with three rollers, and wooden frame, all sound; the water-wheel is also made of wood, and is almost new; the boiling-house and all its appurtenances are complete; the still is very old, and almost useless. There is abundance of resident labour on this estate, but the Negro houses are much in want of repairs; the dwelling-house on the estate is commodious and comfortable. At Colonarie Bay, where the produce is shipped, and which is about 2 ½ miles from the works, there are a substantial dwelling-house and a store for produce. Mr. Hackshaw protested against our appraising the mules on the estate, alleging that they are the property of Messrs. Le Gall, Graham & Co.; Mr. M'Dowall, the lessee, claimed all the other stock on the estate.

Estate appraised at - - - - - - - £. 1,500 sterling.

4 and 5 September 1854.—Visited and Inspected *Henry's Vale Estate.*

This estate lies on the eastern coast of the island, about 11 ½ miles from Kingstown. According to the plan which I saw on the estate, it comprises—

110	acres	arable.
116	„	provision grounds.
75	„	pasture.
TOTAL - - 301		

There are also 210 acres in the interior, called Montreal, belonging conjointly to Henry's and Peruvian Vale Estates, and which I believe has never been divided or apportioned. Henry's Vale is a very hilly and straggling estate. The Spring Estate is situated right in the middle of it, and the cartage from one part of it to the works is long and difficult; with the exception of one field, the land is so hilly, that the use of agricultural implements is precluded, and all the canes have to be crooked on mules to the cart-roads intersecting the estate. The average of the crops made for the last seven years is under 70 hhds.; the estate is at present in good order, and promises well for crop 1855; the works, which are nearly new, are compact, substantial, and in excellent order, with a superior horizontal water-mill, with cast-iron wheel, and a good 300 gallon still, also almost new.

At the Shipping Bay at Biabon (within a quarter of a mile of the works), there is a large store belonging conjointly to Henry's and Peruvian Vale Estates. The wharf at this bay has been allowed to go to ruin, and shipping from the beach is very precarious, frequent losses occurring.

A few months ago, one of the bluffs overhanging the canal became detached, and slipped down, carrying a considerable part of the canal along with it. This accident has to no inconsiderable extent depreciated the value of the property, as, owing to the steep and insecure nature of the land, it would be almost impossible to form a new canal, and the building of pillars, and putting up iron spouting (which would be the only effectual way of supplying the estate with water) would be attended with much expense.

The

The water which supplied this canal was the back water from Peruvian Vale Mill. There is another canal (a continuation of the Peruvian Vale one) about, say, 40 feet higher, from which they can get water when Peruvian Vale does not require it. The water is originally taken from Yambou river, about three miles from Henry's Vale.

The manager informed me that all the stock on this estate were sold and delivered to Messrs. Robertson & Anderson before the Commissioners' notice was served. I saw entry to same effect in estate's journal.

Estate appraised at - - - - - - - £. 1,600 sterling.

4 and 5 September 1854.—Visited and inspected *Peruvian Vale Estate*, which is adjacent to Henry's Vale, and comprises—

	172	acres arable.
	76	„ provision ground.
	84	„ pasture.
Total - -	332	

The average crop of this estate for several years past has been about 100 hhds. It is an extensive property, but a great part of it is poor land, and is much exposed to the sea breeze, from which the canes sustain great injury in a dry season. Like Henry's Vale, it is hilly and laborious, and from most of the fields the canes have to be crooked out to the cart-roads; a considerable part of it might, however, be advantageously cultivated by means of implements.

The works are large, and in very fair order, with a good horizontal mill and iron water-wheel. The still is old and much decayed. There is generally a good supply of water from Yambou river, but in a very dry season it is insufficient. There is a comfortable mansion-house on this estate, besides the manager's house (much in want of repair), at present rented and occupied by the Rev. J. Connell.

The remarks I made with regard to the stock and the shipping of the produce of Henry's Vale Estate are equally applicable to this estate.

Estate appraised at - - - - - - - £. 2,000 sterling.

5 September 1854.—Visited and inspected *Argyle Estate*, which lies on the windward coast of the island, about nine miles from Kingstown.

The manager informed me that there was no plan of the estate, but that it contained in all 365 acres of land, about one-half of which I should say is adapted for cane cultivation. Most of the land on this estate is very rich, and bears a luxuriant crop of canes. The greater portion of it is also sufficiently level to admit of implements being advantageously worked on it. Crop 1854 is not yet finished; it is estimated at about 160 hhds. This estate, however, with a good supply of labour, and judicious management, is, in my opinion, capable of averaging 260 hhds. per annum.

The works are commodious, substantial, and in good order. There is an excellent horizontal mill, with cast-iron water-wheel, and a never-failing supply of water, brought by a short canal from Yambou river. Two Gadsden's pans and two clarifiers, all worked by steam, have recently been erected at a heavy expense. These are supplied with steam from two long boilers, hung on a continuation of the flue from the evaporating coppers.

There are also on this estate, but not in use, two centrifugal curing machines, a good vacuum pan, a copper pan, with cast-iron steam jacket, and a good steamboiler (about 8-horse power). The still is very bad. There is a blacksmith's shop upon the estate, with two forges, a superior turning lathe, and all the tools, &c., necessary for carrying on an extensive business. There is a large tract of provision land in Mariaqua Valley, belonging conjointly to Argyle, Calder and Calder Ridge Estates.

Argyle has the right of shipping at Stubbs' Bay, distant about a mile and a half from the works, where there is a large wooden building for storing produce, a weighing machine, and a small jetty and crane: the store, &c., belong in equal proportions to Argyle and Calder, and four other neighbouring estates.

There are few labourers located on the estate; but there are two large villages in the neighbourhood from which labour may be obtained.

Many of the canes for crop 1855 are late, but they are all in good order, and a considerable increase on next year's crop may be reasonably expected.

The manager informed me that all the stock had been sold, and delivered to Messrs. Robertson & Anderson on 1st July. I saw an entry in the estate's journal to that effect.

Estate appraised at - - - - - - - £. 4,000 sterling.

5 September 1854.—Visited and inspected *Calder Estate*, which is adjacent to Argyle. This is an extensive property, but very laborious, the canes on every field requiring to be crooked out to the cart-road, and on very few fields can implements be used to advantage.

The crop just finished amounted to 172 hhds., but I am of opinion that the estate may be made to average at least 220 hhds. There is no plan of the estate, but the manager

informed me that there are 117 acres in cultivation for crop 1855, and at least 30 acres more available for cane cultivation; some of the canes are late, but they are all free from weeds, and in good order.

The machinery and apparatus for manufacturing sugar is almost exactly similar to that at Argyle, with the exception of the mill, which is driven by steam, instead of water. The engine has hitherto been worked as a low-pressure condensing one; but, in consequence of the scarcity of water in a dry season, a high-pressure has been got out from England, and is about being erected, by the use of which much less water will be required.

This estate is always well supplied with labour from Victoria village, which is in the immediate vicinity. My remarks with regard to the stock, still, provision grounds, and shipping on Argyle Estate are equally applicable to Calder.

Estate appraised at - - - - - - - £. 3,000 sterling.

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5 September 1854.—Visited *Calder Ridge Estate*.—This is also a hilly and laborious estate. There is no plan of it, but I should say it comprises about 120 acres in all.

Crop 1854 was 86 hhds., which is about the average. There are about 60 acres in canes for 1855, and they are looking well and healthy; the works are small and inconvenient, with no water within half a mile; the windmill is not in good order; there is no still on the estate. I believe it is the intention of the proprietors to abandon the works, and manufacture the crop at Calder, having a coulisse rope to convey the canes across the ravine.

The manager informed me that all the stock were sold and delivered to Messrs. Robinson and Anderson on 1st July. I saw an entry to that effect in the estate's journal.

Estate appraised at - - - - - - - £. 1,000 sterling.

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5 September 1854.—Visited and inspected *Carapan Estate*.—There are 240 acres of land on this estate, including a field of seven acres lately purchased by Mr. Alves, and the site of Enham village (say from 12 to 15 acres), which he has within the last 12 years sold in small lots. There are also 60 acres of provision grounds in Mariaqua Valley. This is a very seasonable property, seldom, if ever, suffering from drought; but it is hilly and laborious. The conveyance of the canes to the mill is much facilitated by two coulisse ropes, which bring the canes from the higher lands to a point about 1,500 yards from the works, to which they are thence conveyed by a railway. There are 93 acres in cultivation for crop 1855, all of which are in good order, and looking promising.

The works are good and substantial; the mill and steam-engine are very old, but still sound and good. In the boiling-house, in addition to the usual range of evaporating taiches, there are two steam clarifiers, which, as also the engine, are supplied with steam from two long boilers, hung on a continuation of the flue from the coppers. The still is very old and imperfect. The long cartage of the produce to and of coals and other supplies from Calliaqua, a distance of about four miles, forms a heavy item of expenditure on this estate.

Abundance of labour can always be obtained from the neighbouring villages; there are besides a good many labourers located on the estate. The dwelling-house is not large, but comfortable, and in a good state of repair.

The stock, which have the appearance of being overworked, were valued as under:—

17	Creole oxen -	at	38	dollars - - -	£.	134	11 8
6	Porto Rico oxen,	at	65	„ - - - - -		81	5 –
7	cows - - -	at	20	„ - - - - -		29	3 4
4	steers - - -	at	18	„ - - - - -		15	– –
2	calves - - -	at	5	„ and 8 dollars - -		2	14 2
3	mules - - -	at	100	„ - „ - - -		62	10 –
9	„ - - -	at	80	„ - „ - - -		150	– –
					£.	475	4 2

Estate (exclusive of stock) appraised at - - - £. 2,500 sterling.

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18 September 1854.—Visited and inspected *Layou Hill*, which property is situated on the leeward coast of the island, about eight miles from Kingstown: Mr. Raggae, the person in charge of it, informed me that it comprised in all 95 acres.

The late proprietor, Mr. Cowdrey, sold a considerable portion of the land next the sea, in small lots, whereon a village has been erected, which is now called "Cowdrey Town." In this village there are 62 dwelling-houses, and a chapel, which was erected by the Wesleyan Methodists. The average value of these tenements is about 8 *l.* sterling.

The larger and better portion of this property is situated on the top of a hill, the approach to which is very steep and difficult. The works and dwelling-house are in ruins; with the exception of about six acres of arrowroot, and a few provisions, there is no cultivation on the place. There being no water on it, it is not adapted for the growth and manufacture of arrowroot. Provisions and vegetables of all kinds, both European and tropical, might be here cultivated to advantage.

Appraised (exclusive of the houses in Cowdrey Town) at £. 300 sterling.

(signed) *D. Cowie.*

Enclosure 2, in No. 60.

(Copy of Diary.)

Monday, 2 October 1854.—Started with Mr. Bascom from Kingstown for Leeward, and on Tuesday the 3d visited and inspected *Golden Grove Estate*, which is situated on the leeward or north-western coast of the island, about 20 miles from Kingstown. It comprises in all about 308 acres of land, only 82 of which are arable, the remainder being waste mountain land, provision grounds, and pasture; the soil is said to be very rich, and the estate never suffers from dry weather; the cultivation is being much curtailed, and does not look promising for crop 1855; only two tons of guano have been applied this year; labour is plentiful on the estate; the whole of the works and dwelling-house are in a very dilapidated condition; the mill and still are in very bad order; the roofs of all the buildings are also very bad, and many of the beams and stancheons in the curing-house are quite rotten; the stone walls of the lower side of the buildings are cracked in many places, and are very insecure; the shipping bay is good, and near the works.

The stock were valued as under:—

8 mules	at 90 dollars		£. 150	–	–
4 oxen	at 50	„	41	13	4
5 cows	at 22	„	22	18	4
1 steer	at 50	„	10	8	4
1 young bull,	at 40	„	8	6	8
4 calves	at 8	„ and 2 asses, at 16 dollars	13	6	8
			£. 246	13	4

Estate appraised (without stock) at - - - £. 1,400 – –

Tuesday, 3 October 1854.—Visited and inspected *Sharpe's Estate*, which is adjacent to Golden Grove. It is a small estate, with a miserably bad set of works, no still, and a deficiency of water to drive the mill in dry weather. There are 59½ acres of arable land upon it, as also some pasture and provision grounds, the extent of which the manager could not inform me. The land is rich, but steep and laborious; a considerable portion of crop 1854 has been manufactured at the adjoining estate, Petit Bordel; the cartage to the shipping bay is short and easy. I found the following stock upon the estate, and appraised them as under. The manager informed me that all the mules (8 in number) were the private property of the attorney, Mr. W. M'Kenzie, and that about two-thirds of the other stock on the estate, but which he could not point out, belonged to Belle Isle Estate.

In one pen,	8 mules	at 85 dollars	£. 141	13	4
„	11 oxen	at 50 „	114	11	8
„	1 cow	at 16 „	3	6	8
„	3 asses	at 10 „	6	5	–
„	1 bull	at 30 „	6	5	–
In another,	16 cows and 1 bull,	at 22 „	77	18	4
„	3 bulls and 3 oxen,	at 45 „	46	17	6
„	5 cows	at 20 „	20	16	8
			£. 407	14	2

Estate (exclusive of stock) appraised at - - - £. 600 sterling.

Tuesday, 3 October 1854.—Visited *Mount Alexander Estate*, which is situated next and inland to Sharpe's. It is entirely abandoned, and nothing but a few dilapidated walls are left to show where the buildings stood. I could get no information as to the number of acres on the estate. The land is so steep and precipitous, that it is unfit for the cultivation of canes or arrowroot, and dangerous for the grazing of stock. Provisions might be cultivated on some parts of it. There are a few Negro houses upon it, but no stock.

Appraised at - - - - - - - - £. 100 sterling.

Tuesday 3, and Wednesday 4 October 1854.—Visited and inspected *Petit Bordel Estate*, which lies next on the sea coast to Sharpe's. This is a fine seasonable little property, but evidently retrograding in cultivation, little having been done for crop 1855, and no manure applied. There are 56½ acres of cane land upon it, and a considerable extent of pasture and provision grounds. The works are compact and in fair order, with a good vertical mill, with cast-iron frame and water-wheel, and an excellent little still. The canes from the higher lands, and those brought from Sharpe's, are conveyed to near the works by a galvanised iron wire coulisse rope. There is an abundant supply of water and resident labour on this estate. The manager informed me that the stock belonging to this estate and Sharpe's were worked

indiscriminately on both. The following are all I found on the estate, and they are appraised as under:—

15 calves and young stock, at 20 dollars per head - -	£. 62 10 –
1 ass, at 5 dollars - - - - - - - - -	1 – 10
	£. 63 10 10
Estate (exclusive of stock) appraised at - - -	£. 1,000 sterling.

Wednesday, 4 October 1854.—Visited and inspected *Belmont Estate*, which is a fine seasonable little property so far as situation, exposure and soil are concerned, but of little value, in consequence of the want of water, or other motive power to grind the canes. It comprises in all 170 acres of land, only 40 of which the proprietor informed me were available for cane cultivation. The remainder is exceedingly steep, and rugged and dangerous for stock if used as pasturage. Labour is plentiful, and the estate is quite capable of producing an average crop of 60 hhds. of sugar, but the machinery and buildings are in their present state altogether unfit to reap such a crop. The mill is vertical, and is driven by mules, which is an exceedingly expensive motive power; it is besides in very bad order, a great part of the wooden frame being quite rotten. The other buildings are in a very dilapidated condition, and much of the wood-work about them is decayed. The still has been broken down (but is still on the estate), being quite unfit for use. All the water used at the works has to be carted up hill, a distance of more than a mile. The greater part of last crop has been manufactured on a lower estate belonging to the same proprietor, where there is a good water-mill. There were no stock on the estate, and the proprietor informed me that for the last seven or eight years, the stock belonging to his neighbouring estate, Rose Hall, had done all the work on Belmont. There is a comfortable dwelling-house on the estate, and a large cistern, for containing the rain water collected from the roof of the house, and an extensive platform, which has been built and paved for the same purpose.

Estate appraised at - - - - - - £. 350 sterling.

Wednesday, 4 October 1854.—Visited and inspected *Westwood Estate*, which is adjacent to Belmont. This is an exceedingly hilly and laborious estate; cane cultivation has been entirely abandoned, and a few acres of arrow-root have been established; but I am of opinion that even the latter will not pay the expenses of cultivation, there being an insufficient supply of water to grind and wash it. The sugar works have been dismantled, and a small thatched building has been erected, in which the arrow-root is washed, which (the arrow-root) is previously grated by manual labour. The extent of the estate could not be correctly ascertained, there being no diagram of it, and the proprietor, Mr. Pennefather, telling me that it comprised 250 acres, whilst a neighbouring proprietor, who has for many years known the estate, told me that he was certain there were nearly 400 acres on it. There is an extensive village on the lower part of the estate, on which is erected 33 good and substantial houses, with kitchens and large gardens attached. Mr. Pennefather informed me, that the land on which these houses are erected, was sold before he took over the estate. The houses are superior to those in many Negro villages, and are on an average worth at least 9 *l.* sterling each.

The following stock were thus valued:—

3 oxen, at 35 dollars each - - - - - -	£. 26 17 6
3 mules, at 20 dollars each - - - - - -	12 10 –
	£. 34 7 6
Estate (exclusive of stock and houses in the village) appraised at	£. 150 sterling.

Thursday, 5 October 1854.—Visited and inspected *Mount Hope Estate*, which is situated in Cumberland Valley, about half a mile from the sea. It is, and has been for several years past, leased at a rental of 120 *l.* sterling per annum, but the lessee admitted that he had never been able to pay the rent in full. It is now cultivated by two black men, who do all the work for half the produce, they having the use of the works to reap the crop. There are about 40 acres available for cane cultivation, within a moderate distance of the works, and 200 acres of pasture, provision grounds, and mountain land. The estate is very seasonable, and copiously supplied with water. Labour is said to be scarce, but the scarcity I presume chiefly arises from the want of means to pay for it. There are at present 10 acres in cane cultivation, from which 16 hogsheads of sugar are expected. The works are rapidly decaying. The mill of itself is pretty good, but the water-wheel is tumbling to pieces. The still has been a good deal patched, but is fit for use.

The

The stock were appraised as under:—

2 mules	at 100 dollars	£.	41	13 4
4 oxen	at 38 „		31	13 4
1 young bull,	at 18 „		3	15 –
3 cows	at 15 „		9	7 6
2 calves	at 8 „		3	6 8
		£.	89	15 10

Estate (exclusive of stock) appraised at - - - £. 400 sterling.

Thursday, 5 October 1854.—Visited and inspected the *Spring Estate*, which is next to Mount Hope. With the exception of about four acres, which are worked on the share system, there is no cultivation on this estate. The works are in a sadly dilapidated state, and are, in their present condition, incapable of reaping the few canes on the ground. They contain, however, two good copper taiches, a copper clarifier, and tolerable still. The extent of land could not be ascertained, but it is considerable. There is abundance of water, but little or no labour on the estate. There are 15 cattle on the estate, which are claimed by the proprietor, Mr. Hill, as his own private property; they are worth 30 dollars per head, or altogether 93*l.* 5*s.* sterling.

Estate (exclusive of stock) appraised at - - - £. 300 sterling.

Thursday, 5 October 1854.—Visited and inspected the *Grove Estate*, which is entirely abandoned, and on which the works are in ruins. It lies about four miles inland, and is a very extensive and beautiful estate; were it more favourably situated, it would be a valuable property. There are some large fields of provisions, and several patches of arrowroot upon it, with superabundant water-power and well-traced roads, which only require being cleared. No stock, and very few inhabitants upon it.

Appraised at - - - - - - - - - £. 250 sterling.

Remark.

At the time the foregoing estates were appraised, by Mr. Bascom and myself, Asiatic cholera had not appeared upon any of them. It is with deep regret that I have now to state that it has been very fatal on some of them, and that on a few the supply of labour will in consequence thereof be seriously affected.

St. Vincent, 9 October 1854. (signed) *D. Cowie.*

Enclosure 3, in No. 60.

(Copy of Diary.)

2 October 1854.—Started for Leeward by boat, and the following day visited and appraised the undermentioned estates.

Golden Grove.—Comprises 82 acres cane land, or arable land; almost all of it very laborious and steep, although good soil. Seventy hogsheads sugar of present crop made, 10 hogsheads more to be made. Very moderate supply of labour, in a great measure dependent on transient labour from Chateaubellair. Buildings, including mills, boiling-house, and distillery, all so very much dilapidated, that they can scarcely be said to be in working order. Informed by the manager, that in consequence of the mill, which being in such bad order, and the very limited supply of water for driving it, that he very often only made two strikes of sugar (half a hogshead) for a day's work. The still is scarcely workable; only made six puncheons of rum from 70 hogsheads of sugar. Cultivation evidently much neglected latterly. A good stone-wall house on the estate, which the manager lives in.

Stock:—

8 mules	£.	150	–	–
4 oxen		41	13	4
1 bull		8	6	8
1 steer		10	8	4
5 cows		22	18	4
4 calves		6	13	4
2 asses		6	13	4
	£.	246	13	4

Estate (exclusive of stock) valued - - - - £. 1,400 – –

3 October 1854.—*Petit Bordel.*—A small and laborious estate. Fifty acres arable land, all in cane cultivation. No manure has been applied, and but poor prospects of a crop next year. Mill and buildings all in very fair order. An excellent still, although small. Fair supply of water for driving mill. Labour not very abundant, although sufficient. Informed by the manager that the stock on Sharpe's Estate assisted in working this.

15 cows, and young stock	£.	62	10 –
1 ass		1	– 10
	£.	63	10 10
Estate (exclusive of stock) appraised	£.	1,000	– –

3 October 1854.—*Sharpe's.*—Very limited cultivation on this estate. Part of the crop reaped at Petit Bordel. Works all in very bad order. No still. Short of water. Fifty-nine acres arable land, all very steep and laborious. Informed by the manager that the mules were the property of Mr. M'Kenzie, the attorney, and about two-thirds of the cattle belonged to Belle Isle Estate.

Appraised what I found as follows:—

8 mules	£.	141	13 4
11 oxen		114	11 8
1 cow		3	6 8
3 asses		6	5 –
1 bull		6	5 –
16 cows and 1 bull		77	18 4
2 bulls and 3 oxen		46	17 6
5 cows		20	16 8
	£.	417	14 2
Estate (exclusive of stock)	£.	600	– –

3 October 1854.—*Mount Alexander.*—For many years entirely abandoned. Works all destroyed. Land so very steep as to be scarcely available even for pasture, and covered with brush and underwood. No stock. A few inferior Negro houses:

Valued at	£.	100	– –

Bellmont.—This estate comprises 170 acres of land, all of which is steep hill-side. Thirty acres in cane cultivation, looking pretty good. Works all in a very dilapidated condition. Still very bad, fit for little else than as old copper. A cattle mill in very bad order, but which, were it of the best description would, in my opinion, lessen the value of the estate considerably, being the most expensive motive power which can be employed for grinding canes. The nearest water (except what is collected in tanks from the rain) is one-and-a-half miles from the works, and has to be carted that distance. Mr. Robertson, the proprietor, has been in the habit of reaping greater part of the crop of this estate on an adjoining one, of which he is also proprietor. Crop this year was 47 hogsheads of sugar. Mr. Robertson informed me that there had been no stock on this estate for several years past; the canes on this were reaped by stock from one of his other estates.

Appraised estate	£.	350	– –

4 October 1854.—*Westwood.*—The cultivation of this estate has been entirely abandoned, with the exception of a very small quantity of arrowroot; the land is all of it so very steep as to be almost unfit for any cultivation, unless it may be arrowroot; and that could not be grown extensively to be remuuerative, in consequence of there not being sufficient water to drive a mill for manufacturing. The works are all in a very dilapidated state. A cattle mill. No still. A lot or lots of land has been sold off this estate for a village, on which there are 33 houses, worth from 6*l.* to8*l.* each.

Stock appraised as follows:—

3 oxen	£.	21	17 6
3 mules		12	10 –
	£.	34	7 6
Estate (exclusive of the village and stock) valued at	£.	150	– –

5 October 1854.—*Mount Hope.*—A small estate, almost out of cultivation. It has been leased for the last 10 years at 120*l.* per annum. Informed by the lessee that it had never made the rent; he has it cultivated by two black men for shares. About 40 acres cane land, 10 of which in cultivation, and expected to make 16 hogsheads of sugar for next crop. A large tract of provision and mountain lands, of little value. A good supply of water. Works in a most dilapidated condition. Still very old, and much patched. The land, with the exception of about five acres (which is quite level), a steep hill side.

Stock appraised as follows:—

2 mules	£.	41	13 4
4 oxen		31	13 4
1 young bull		3	15 –
3 cows		9	7 6
2 calves		3	6 8
	£.	89	15 10
Estate (exclusive of stock)	£.	400	– –

5 October 1854.—*The Spring.*—This estate adjoins Mount Hope. No sugar has been made on it for two years past; there are three or four acres canes on it, cultivated by the negroes for shares, but I very much doubt if they can be reaped, the works are all in such a miserably decayed state. There are two copper taiches and a copper clarifier in the boiling house, articles of some value; still very old and inferior. Informed by Mr. Hill, the proprietor, that the Negroes had left the estate, and stole the houses which they occupied.

Fifteen cattle, which Mr. Hill clamed as private property.

15 cattle	£.	93	5 –
Estate, exclusive of stock		300	– –
	£.	393	5 –

Grove.—This estate, which adjoined the Spring, is entirely abandoned as a sugar property. There are several fields of provision, and a small quantity of arrowroot; abundance of water; works in ruins; no stock, and very few Negroes on it.

Valued at £. 250 – –

(signed) *James R. Bascom.*

The estates encumbered with Government loans having been all appraised, I would remark, that the Asiatic cholera having caused great mortality on some of those which were first appraised, they will, in consequence of a deficiency in labour, be much depreciated in value, but to what extent I am unable to say. I would also remark, that the last estates appraised, which are of little value, are rendered less valuable from the abundance of mountain land which the Negroes can get as provision grounds for a mere nominal rent, and the very hilly nature of the land on these estates render them of but little value for any cultivation, except provisions.

(signed) *J. R. Bascom,* Valuator.

— No. 61. —

COPY LETTER from *J. S. Brickwood,* Esq., to Lieutenant-Governor *R. G. MacDonnell,* St. Vincent.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
16 October 1854.

Sir,

I HAVE the honour to acknowledge the receipt of your further despatches, Nos. 13, 14, and 15, with their respective enclosures, which, with your previous communications, will be submitted to the Commissioners as mentioned in my letter to you of the 30th August.

I have, &c.
(signed) *J. S. Brickwood,* Secretary.

— No. 62. —

COPY LETTER from *J. S. Brickwood*, Esq., to the Lords Commissioners of Her Majesty's Treasury.

Pointe Guinard Estate, Dominica.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,

My Lords, 19 October 1854.

I AM directed by the Commissioners for the Relief of certain of the West India Islands, to draw the attention of your Lordships to the Act 8 & 9 Vict. c. 50, intituled, "An Act to facilitate the Recovery of Loans made by the West India Relief Commissioners," by the 3d section whereof it is enacted, that it shall be lawful for the Commissioners, with the consent in writing of the Lords Commissioners of Her Majesty's Treasury, to compound any debt on account of any loan advanced by this Board.

Under the provisions of that Act, the Commissioners have received an offer of compromise under the following circumstances:—

In June 1837 a loan of 500 *l.*, and in April 1840 a further loan of 200 *l.*, were advanced to Mr. Giraud and others, to be applied in restoration of the works and machinery destroyed or injured during the hurricane of 1834, on Pointe Guinard Estate, in the parishes of St. Luke and St. Mark, Dominica, on a mortgage of those properties.

Interest was paid during seven years on the first loan, and five years on the second loan, viz., to June 1844 and April 1845.

No repayment has been made on account of the principal of either loan.

The parties having been annually applied to for payment of the amounts due, and having had notice of the Commissioners' intention to sell the property in the event of continued non-payment, a desire has been expressed by Mrs. Giraud, (widow of the borrower) to compound the Crown's claims, and she has offered 60 *l.* for that purpose.

With reference to that offer, this Board has asked the opinion of the Lieutenant-governor of Dominica, and have been informed by his Excellency, that, considering the delay and great expenses attendant upon bringing the property to sale, especially in that island, the offer of 60 *l.* should be accepted.

Under these circumstances, the Commissioners beg to submit the offer of 60 *l.* for the consideration of your Lordships, and I enclose the form of warrant applicable to the case for your Lordships' signature, in case you should deem it expedient to sanction the proposal made.

I have, &c.

(signed) *J. S. Brickwood*, Secretary.

— No. 63. —

COPY LETTER from same to same.

Rosalie Estate, Dominica.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,

My Lords, 19 October 1854.

I AM directed by the Commissioners for the Relief of certain of the West Indian Islands, to draw the attention of your Lordships to the Act 8 & 9 Vict. c. 50, intituled, "An Act to facilitate the Recovery of Loans made by the West India Relief Commissioners," by the 3d section whereof it is enacted, that it shall be lawful for the Commissioners, with the consent in writing of the Lords of Her Majerty's Treasury, to compound any debt on account of any loan advanced by this Board.

Under the provisions of that Act, the Commissioners have received an offer of compromise under the following circumstances:—

In December 1836 a loan of 1,500 *l.* was advanced to Mr. Skeffington Robinson and others, to be applied to the restoration of works and machinery destroyed

or

or injured during the hurricane in 1834 on Rosalie Estate, in the parish of St. David, Dominica, on security of a mortage of that estate.

Interest was paid during seven years to December 1843.

According to the terms of the security, the loan became payable on 30 December 1846.

No part of the principal has been paid.

Applications have been annually made for payment of the amounts due; and notice having been given of the Commissioners' intention to sell the property, in the event of continued non-payment, Mr. Robinson expressed a wish to compound the Crown's claim, and, after a long negotiation, has offered 250 *l.* for that purpose, payable in a month after the communication to him of an assent thereto.

On discussing the subject, in a conference with the Lieutenant-governor at this office, in August last, his Excellency expressed an opinion in favour of the acceptance of that sum.

Under these circumstances the Commissioners beg to submit the offer of 250 *l.* for the consideration of your Lordships, and I am directed to enclose the form of warrant applicable to the case for your Lordships' signature, in case you should deem it expedient to sanction the proposal made.

I have, &c.

(signed) *J. S. Brickwood*, Secretary.

— No. 64. —

Copy LETTER from same to same.

Richmond and Dalvey Estate, St. Vincent.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,

My Lords, 19 October 1854.

I am directed by the Commissioners for the Relief of certain of the West Indian Islands to draw the attention of your Lordships to the Act 8 & 9 Vict. c. 50, intituled, "An Act to facilitate the Recovery of Loans made by the West India Relief Commissioners," by the 3d section whereof it is enacted, that it shall be lawful for the Commissioners, with the consent in writing of the Lords Commissioners of Her Majesty's Treasury, to compound any debt on account of any loan advanced by this Board.

Under the provisions of that Act, the Commissioners have received an offer of compromise under the following circumstances:—

In March 1833 a loan of 8,150 *l.* was advanced to Mr. Patrick Cruikshank, to be applied to the restoration of works and machinery destroyed or injured during the hurricane of 1831 on Richmond and Dalvey Estate, in the island of St. Vincent, on a mortgage of that property.

Interest at 4 per cent. was paid thereon to 19th March 1845.

By the terms of the security, the whole principal sum of 8,150 *l.* became payable on 19th March 1843.

An extension of time was allowed for the payment thereof by 10 annual instalments, but no part thereof has been received.

On 2d May last, Mr. Cruikshank expressed a desire to compound the Crown's claim, and offered 1,850 *l.* for that purpose.

Mr. Cruikshank has furnished a return, showing that in the seven years previous to the hurricane the estate produced 2,403 hogsheads of sugar, and that in the seven following years it produced only 1,440 hogsheads, being a diminution of 963 hogsheads, or of 19,260 *l.* sterling value.

He was recommended to obtain a valuation of the property by disinterested parties, and to forward a copy thereof in support of his application, which he has since done; and by the copy of the estimate made by two residents, and furnished by Mr. Cruikshank, it appears that the estate is valued at 3,000 *l.*

By a report received by this Board from the valuators appointed by the Commissioners in Aid, in St. Vincent, it appears that the estimated value of the Richmond and Dalvey Estate, exclusive of stock, is 5,500 *l.*; but no opinion is given as to whether a purchaser is likely to come forward at that or any other price.

Upon receipt of the report of the Commissioners in Aid, Mr. Cruikshank was informed that it was expedient for him to increase his offer of 1,850 *l.* for compounding the Crown's claim, and he has consequently made an amended offer (based upon the valuation obtained by him) amounting to 3,000 *l.*

This Board has reason to believe (resulting from conferences with Mr. Cruikshank) that there is no prospect of any offer of more than 3,000 *l.*; and that although he would have great difficulty in raising the money, he would endeavour to pay the composition, if accepted, in about six weeks from the acceptance of his proposal.

Under these circumstances, the Commissioners beg to submit the offer of 3,000 *l.* for the consideration of your Lordships; and I am directed to enclose the form of warrant applicable to the case for your Lordships' signature, in case you should deem it expedient to sanction the proposal made.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 65. —

COPY LETTER from same to same.

Birmingham Hill Estate, Dominica.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
My Lords, 19 October 1854.

I AM directed by the Commissioners for the Relief of certain of the West Indian Islands to draw the attention of your Lordships to the Act 8 & 9 Vict. c. 50, intituled, "An Act to facilitate the Recovery of Loans made by the West India Relief Commissioners," by the 3d section whereof it is enacted, that it shall be lawful for the Commissioners, with the consent in writing of the Lords of Her Majesty's Treasury, to compound any debt on account of any loan advanced by this Board.

Under the provisions of that Act the Commissioners have received an offer of compromise under the following circumstances:—

In July 1836 a loan of 1,000 *l.* was advanced to Mr. M. L. Welch to be applied to the restoration of works and machinery destroyed or injured during the hurricane of 1834, on Birmingham Hill Estate, in the parish of St. Peter, Dominica.

Interest was paid during eight years to the 15th July 1844, but no part of the principal has been received.

Applications having been annually made to Mr. Welch for payment of the amounts due, and notice given of the Commissioners' intention to sell the property in the event of continued nonpayment, Mr. Welch expressed a desire in February last to compound the Crown's claim, and offered 200 *l.* for that purpose.

By a return appended to the Lieutenant-Governor's despatch of 27th December 1853, it appears that the then value of the property was not estimated as equal to the loan.

On discussing the subject in a conference with the Lieutenant-Governor at this office in August last, his Excellency expressed an opinion that it would be desirable in this case to accept of 200 *l.*, or even a less sum, if to be obtained.

Mr. Welch afterwards stated, in letters of 12th August and 14th ultimo, that he had been informed by communications from the colony, that in the then state of things in Dominica, 150 *l.* was more than the property was worth, and that he was willing to pay such amount, but not more.

Under these circumstances, the Commissioners beg to submit the offer of 150 *l.* for the consideration of your Lordships, and I am directed to enclose the form of warrant applicable to the case for your Lordships' signature, in case you should deem it expedient to sanction the proposal made.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 66. —

COPY LETTER from *J. S. Brickwood*, Esq., to *James Wilson*, Esq., M.P.

Layou Hill Estate, St. Vincent.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 21 October 1854.

I AM directed by the West Indian Islands Relief Commissioners to forward to you the copy of a despatch, dated 26th ultimo, from the Lieutenant-Governor of St. Vincent, and also an extract from the Diary of one of the valuers appointed by the Commissioners in Aid relating to Layou Hill Estate, referred to in the despatch.

As the point raised by the Lieutenant-Governor is of much importance with respect to St. Vincent Estates generally, and Layou Hill Estate in particular, the Commissioners request to be favoured with the instructions of the Lords of Her Majesty's Treasury thereon.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 67. —

COPY LETTER from *J. S. Brickwood*, Esq., to the Lords Commissioners of Her Majesty's Treasury.

Felicité Estate, Dominica.

West India Islands Relief.

Public Works Loan Office,
My Lords, 24 October 1854.

I AM directed by the Commissioners for the Relief of certain of the West India Islands, to draw the attention of your Lordships to the Act 8 & 9 Vict. c. 50, intituled, "An Act to facilitate the Recovery of Loans made by the West India Relief Commissioners," by the 3d section whereof it is enacted, that it shall be lawful for the Commissioners, with the consent in writing of the Lords Commissioners of Her Majesty's Treasury, to compound any debt on account of any loan advanced by this Board.

Under the provisions of that Act, the Commissioners have received an offer of compromise under the following circumstances:—

In March 1839 a loan of 500 *l.* was advanced to Mr. Louis St. Ville Gilbert, to be applied to the restoration of works and machinery destroyed or injured during the hurricane of 1834 on Felicité Estate, Dominica.

Interest was paid during three years to March 1842.

On 27th March 1849 the whole of the principal became due, and remains unpaid with interest from March 1842.

Urgent applications having been annually made for payment of the amounts due, and notice given of the Commissioners' intention to sell the estate in the event of continued nonpayment, Mr. Gilbert has expressed a desire to compound the Crown's claim, and has offered for that purpose the sum of 150 *l.*, to be paid in January next.

During a conference with the Lieutenant-Governor of Dominica at this office in August last, his Excellency stated the improbability of obtaining more if the estate were put up for sale in the present condition of the colony, and expressed his opinion in favour of accepting that amount.

Under these circumstances, the Commissioners beg to submit the offer of 150 *l.* for the consideration of your Lordships, and I am directed to enclose the form of warrant applicable to the case for your Lordships' signature, in case you should deem it expedient to sanction the proposal made.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 68. —

Copy LETTER from same to same.

Tourama Estate, St. Vincent.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
26 October 1854.

My Lords,

I am directed by the Commissioners for the Relief of certain of the West Indian Islands, to draw the attention of your Lordships to the Act 8 & 9 Vict. c. 50, intituled, "An Act to facilitate the Recovery of Loans made by the West India Relief Commissioners," by the 3d section whereof it is enacted, that it shall be lawful for the Commissioners, with the consent in writing of the Lords Commissioners of Her Majesty's Treasury, to compound any debt on account of any loan advanced by this Board.

Under the provisions of that Act, the Commissioners have received an offer of compromise under the following circumstances:—

In July 1834 a loan of 9,200 *l.* was advanced, to be applied to the restoration of works and machinery destroyed or injured during the hurricane of 1831 on Tourama Estate, St. Vincent, and by the terms of the security, interest at four per cent. was payable annually, and the principal at the end of 10 years.

Interest was paid during 12 years.

At the end of 10 years an extension of time was granted for payment of the loan by annual instalments during a further 10 years, with interest on the balance from time to time.

Of the loan of - - - - - - -	£. 9,200
Two instalments of 920 *l.* were paid, together - -	1,840
Leaving a balance unpaid of - - -	£. 7,360

with interest in arrear since July 1846.

Urgent applications having been made for payment of the amounts due, and notice given of the Commissioners' intention to sell the estate in the event of continued nonpayment, the present proprietors, Messrs. John Le Gall and James Graham, have expressed a desire to compound the Crown's claim, and for that purpose, after much negociation, have offered the sum of 5,000 *l.*, whereof they state that by the aid of friends they would be enabled to pay 3,000 *l.* on or before the 12th December in this year, and 2,000 *l.* on or before the 12th December 1855.

In order to ascertain the proper amount for acceptance in such cases, this Board have obtained from the Commissioners in Aid in St. Vincent an estimate by two valuators in respect of this and other estates.

	£.
Of the Tourama Estate, the estimate in July last by one of the valuators was - - - - - - - -	10,000
By the other - - - - - - - -	7,000
This would show an average of about - - - -	8,500

Messrs. Le Gall & Graham state that within the last three years, in the altered state of West Indian affairs, they have put on the estate new and improved apparatus for the making of sugar, and have within two years made substantial repairs to other works, at a total outlay of 2,300 *l.*, which improvements, as they observe, in all probability, influenced the amounts of the valuations of the estates, and ought to be allowed to them.

They further state, that by the accounts brought by the last mail from St. Vincent, it appears that the cholera has caused to them a loss of produce, part of this year's crop, to the value of not less than 800 *l.* to 1,000 *l.*, by means of the death of the manager and 40 of the people belonging to Tourama, a calamity which could not have been known at the time when the valuations of the estate were made.

Under these circumstances, the Commissioners submit the offer of 5,000 *l.* for the consideration of your Lordships, and I enclose the form of warrant applicable to the case for your Lordships' signature, in case you should deem it expedient to sanction the proposal made.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 69. —

COPY LETTER from *J. S. Brickwood*, Esq., to Lieutenant-Governor *R. G. MacDonnell*, St. Vincent.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 1 November 1854.

I HAVE the honour to acknowledge the receipt of your despatches, Nos. 16, 17, and 18, with the Enclosure in No. 17.

An answer to all your despatches is in preparation, and will, I expect, be transmitted to you very shortly, with instructions relative to several estates.

The circumstances stated in your despatch, No. 17, are considered of such importance, that I have been directed to request the instructions of the Lords of Her Majesty's Treasury thereon, which may occasion a short delay in answering your inquiries.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 70. —

COPY LETTER from *J. S. Brickwood*, Esq., to Lieutenant-Governor Major *Blackall*, Dominica.

Belle Vue Fortuné Estate, Dominica.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 1 November 1854.

I HAVE the honour to enclose a copy of a letter from Mr. François Giraud, proposing to compound the loan of 500 *l.*, with interest thereon at 4 per cent., from 16th April 1844, charged on Belle Vue Fortuné Estate, in the parish of St. George, Dominica, by payment of 70 *l.*, and I am to request you will favour this Board with your opinion as to the present estimated value of the estate, and the expediency of accepting or rejecting that offer.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

Enclosure in No. 70.

Sir, Roseau, Dominica, 2 October 1854.

I HAVE the honour to acknowledge receipt of your communication under date 30th January last, relative to the payment of the sum of 500 *l.* advanced in April 1840, by the West India Relief Commissioners, upon security of the Belle Vue Fortuné Estate, in the parish of St. George, in this island.

In reply, I would express my utmost acquiescence in the justice of the mode of repayment proposed by the Commissioners, and would at the same time respectfully submit to their consideration, that by reason of the depressed value of West India produce in the British market, occasioned by the policy of Her Majesty's Government towards these colonies, in connexion with the Sugar Act of 1846, it has been put out of my power to provide for the liquidation of the interest already accumulated on the loan, as also the amount of the loan itself, and I have been deprived, in common with others connected with the planting interest, of any prospect of a complete settlement, unless the Commissioners would be pleased to accept 70 *l.* as a discharge of their claim against me.

It may perhaps be necessary to state, that the entire amount received from them has been laid out in the improvement of the estate in various ways, and chiefly in the erection of buildings thereon, for agricultural purposes, and it is to me a source of much regret, that so large an amount has been expended on the property without the attainment of the object contemplated, from circumstances beyond my control.

In conclusion, I earnestly hope that the Commissioners, impressed with my inability to meet their claim, although most willing to do so, will accept of the only terms in my power to propose, otherwise the result will be, the ejection from a small property of an individual of 80 years of age, who would be thereby thrown upon the world deprived of all earthly means of support for himself and a large family, entirely dependent upon him.

I am, &c.
(signed) *F. Giraud.*

To James Brickwood, Esq.,
&c. &c. &c.

— No. 71. —

COPY LETTER from Lieutenant-Governor of Dominica, Major *Blackall*, to *J. S. Brickwood*, Esq.

Colamber, Edgworthstown,
Sir, 4 November 1854.

I HAVE the honour to acknowledge the receipt of your letter of the 1st November, covering copy of one from Mr. François Giraud of the Belle Vue Fortuné Estate, in the island of Dominica, and requesting, for the information of the Board of Commissioners for the Relief of the West Indian Islands, my opinion as to the present estimated value of the said estate, and the expediency of accepting or rejecting the offer of payment of 70 *l.* for all arrears of principal and interest.

In reply, I beg to inform the Board of Commissioners, that I consider the property, from its proximity to the town of Roseau, to be worth more than the sum offered by Mr. F. Giraud, but at the same time I do not believe that if offered for sale, it would realise anything near the amount of the present debt.

Mr. F. Giraud mentions that the whole sum was expended on the estate, and principally in buildings; if this be so, the money was very badly expended, inasmuch as the buildings are very poor, and, if I am not mistaken, the crop is manufactured by a cattle mill.

Mr. F. Giraud's statement of his being an old man with a large family dependent upon him is quite correct, and if his offer is on a par with the generality of those which have been accepted by the Commissioners, I think as a struggling proprietor, a favourable consideration might be given to his case, and this offer accepted.

I have, &c.
(signed) *Sam. W. Blackall.*

— No. 72. —

COPY LETTER from Sir *C. E. Trevelyan*, K.C.B., to the West India Relief Commissioners.

Gentlemen, Treasury Chambers, 6 November 1854.

WITH reference to your secretary's letters of the 19th and 26th ultimo, relative to the compounding of the debts on the Tourama, Richmond, and Dalvey Estates, St. Vincent, I am commanded by the Lords Commissioners of Her Majesty's Treasury to acquaint you, that, adverting to the higher estimates of the value of these estates, as received from the Commissioners in Aid in St. Vincent, my Lords do not consider that they would be justified in accepting the sums now offered.

They will not object to some modification as to the time of payment of the claims, provided satisfactory security be given, but they are of opinion that it should be intimated to the parties, that unless they are prepared to offer sums more nearly approaching to what the estates may be expected to realize, the Commissioners should proceed to sell the estates.

I am, &c.
(signed) *C. E. Trevelyan.*

— No. 73. —

COPY LETTER from *J. S. Brickwood*, Esq., to *Jas. Wilson*, Esq., M.P.

Richmond and Dalvey Estate, St. Vincent.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,

Sir, 14 November 1854.

I HAVE the honour to acknowledge the receipt of Sir Charles Trevelyan's letter of the 6th instant, and to inform you, that the decision of their Lordships respecting the offer to compound the loan charged on Richmond and Dalvey Estate therein contained, has been communicated by me to Mr. Patrick Cruikshank, the proprietor of the estate, and in answer thereto, I have received from him a letter dated the 11th instant, a copy of which I enclose.

I am further directed to inform you, that on the 1st instant, a further communication was received from the Lieutenant-governor of St. Vincent, enclosing reports from the valuators appointed by the Commissioners in Aid in that island, from which the following are extracts.

Mr. Cowie concludes his report by stating, "At the time the foregoing estates were appraised by Mr. Bascom and myself, Asiatic cholera had not appeared upon any of them; it is with deep regret, I have now to state that it has been very fatal on some of them, and that on a few the supply of labour will in consequence thereof be seriously affected."

Mr. Bascom states, "The estates encumbered with Government Loans having been all appraised, I would remark, that the Asiatic cholera having caused great mortality on some of those which were first appraised" (including Richmond) "they will, in consequence of the deficiency in labour, be much depreciated in value, but to what extent I am unable to say."

Under the above circumstances, I am directed to inquire whether their Lordships wish this Board to proceed to sell the Richmond and Dalvey Estate, in accordance with the instructions contained in Sir Charles Trevelyan's letter, before referred to.

I have, &c.

(signed) *J. S. Brickwood*, Secretary.

Enclosure in No. 73.

Sir, 11, Great St. Helen's, London, 11 November 1854.

I HAVE to acknowledge the receipt of your letter of yesterday's date, conveying to me the rejection by the Lords Commissioners of Her Majesty's Treasury of my offer of 3,000 *l.* for a compromise of the Crown's claims against Richmond Estate in St. Vincent.

As to the higher estimate of the value of the estate by the Commissioners in Aid as compared with my offer, I would remark that, between buyers and sellers of landed estates, even in this country, there is often a wide margin, and in the colonies invariably a greater, in consequence of the more uncertain and speculative nature of the investment, and of its returns.

Moreover, I believe I may safely assert that the appraisers of the Commissioners in Aid in St. Vincent have, on more occasions than one, differed as to the value of the same estate to a greater extent than is the difference between my offer and their valuation of Richmond. My offer is founded on the valuation of disinterested and experienced men, and such a valuation only can enable me to raise the means needful for the compromise.

My own circumstances are, I believe, already known to you, in addition to the prospect of for ever losing an estate which has been nearly 80 years in my family; my agency business connected with Richmond and other estates, my only means of support, must, through the Government measures, entirely pass from me, and I am compelled, at the age of 54, to seek for employment anywhere, and I am willing to take it, and thankfully of any kind; but hitherto I have sought in vain, although my testimonials are such that any man might reasonably be proud of. Unfortunately, however, these do not afford the immediate means for the support of a large family.

It is impossible for me to increase the offer I have already made, but I hereby renew it, and if it cannot be accepted, it must rest with the Exchequer Loan Commissioners to sell the estate, if such should be their determination; but I respectfully submit that any such proceeding would be not only harsh and, under the circumstances, uncalled for, but contrary also to the feelings of the House of Commons as lately ascertained, and in direct opposition to the expressed declaration of Sir G. Grey and Mr. Wilson, which will be found transcribed in my letter of offer of the 23d September last.

I have, &c.

(signed) *Patrick Cruikshank.*

J. S. Brickwood, Esq., Secretary.

— No. 74. —

Copy LETTER from Lieutenant-Governor *R. G. MacDonnell*, St. Vincent, to *J. S. Brickwood*, Esq.

Sir, 16, Albemarle-street, 21 November 1854.

Having arrived in London on my way to another colony, I feel it my duty before leaving England to afford to the Commissioners such information as I can relative to the remuneration proper to bestow on the officers employed by the Board in Aid at St. Vincent during the time I acted as president of that Board.

By order of the Commissioners I employed two gentlemen, Messrs. Cowie and Bascom, to value all the indebted estates, and the stock thereon. I think the Commissioners will agree with me in considering that those gentlemen have discharged the trust reposed in them in a satisfactory manner; but in deciding on the remuneration they ought to receive, it is only fair that I should explain how they were obliged to visit estates separated by long distances, and approached by rugged roads, rendering the discharge of their duty a matter of considerable hardship and difficulty. On one occasion they had to pay 12 *l.* for the mere hire of a vessel to convey them to Mustique, and thence to Richmond, so that altogether they must, from first to last, have been put to considerable expense and inconvenience.

I consider, however, that the payment of 100 *l.* to each of them for their labour and expenses will be sufficient.

In reference to the work done by the Secretary of the Board, I have to state that, in consequence of my appointing Mr. T. W. Creaser to be police magistrate and acting stipendiary magistrate of the Leeward district, I had to avail myself of the services of Mr. De la Poer Beresford for the last few months.

Considerable attention was paid by those gentlemen to the minutes of the Board, and as they were obliged to devote much time to the business of the Board, and expend some money in purchasing record books and stationery, I consider they ought to be remunerated, though 50 *l.* would, I think, be sufficient, 25 *l.* to each.

Mr. Beresford is now in town, having been appointed by me my private secretary: he can therefore receive his share here.

A Mr. Cox was also occasionally employed at a small sum per folio in copying some documents, but I would suggest that the solicitor of the Board in Aid be instructed to arrange such trifles, and charge them in his bill.

In reference to the latter gentleman, he will, of course, continue his functions under the new Governor, at St. Vincent; and the Commissioners will themselves be able to form a competent opinion on the propriety of all charges made by him. I can only say that they will find in him a most indefatigable and honourable officer.

I have, &c.
(signed) *Richard Graves MacDonnell.*

— No. 75. —

Copy LETTER from the West India Relief Commissioners to the Commissioners in Aid in St. Vincent.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Gentlemen, 1 December 1854.

In conformity with the provisions of the Statute of the Imperial Parliament above referred to, we have the honour to request your immediate intervention on behalf of the Crown, and in furtherance of the objects for which we have been appointed, under the circumstances which we proceed to lay before you.

Amongst

Amongst other loans which were advanced to the proprietors of estates in St. Vincent, were the following:—

Lot 14 Estate - - - - - - -	£. 9,800
Rabaca Estate - - - - - - -	7,300
Grove Estate - - - - - - -	800
Spring Estate - - - - - - -	600

The whole of the above-mentioned principal sums, with a large amount of interest, are in arrear, notwithstanding repeated applications have been made to the parties interested in the estates, and their agents in England, for payment, and no arrangement has been proposed by any of them for the gradual liquidation of the loans, or otherwise.

We therefore feel ourselves called upon on the part of the Crown to enforce the remedies provided by our Acts of Parliament for raising the principal and interest due, by sales of the property comprised in the mortgages.

We beg to call your attention to the 9th section of the Act 2 & 3 Will. 4, c. 125, which provides for the constitution of Commissioners in the several islands to act in aid of the Commissioners under the Act in all such cases, and in relation to all matters and things which should be referred to them by the Commissioners named in that Act.

By the 49th section of the Act, it is enacted that if any default should be made in the payment of all or any part of such loan or advance for which any such mortgage should be accepted or taken by the said Commissioners as a security (but not otherwise), the said Commissioners or their attorneys or attorney to be appointed for that purpose, by the proper proceedings in the said island, upon judgment to be entered up, should take possession of all, or any parts or part of the mortgaged premises, and by a sale or mortgage of the same, or a competent part thereof, should raise such sum or sums as should be sufficient to repay all moneys due in respect of such loan or advance, and all costs and charges attending such proceedings.

In preparing to carry into execution the power of sale thus given by the Act, a question has arisen as to its proper application to the peculiar form of our mortgages. We have no doubt that it was the intention of the clause in question to confer a summary power of sale, and to render unnecessary suits in the island for foreclosure and sales.

But it will be observed, that the sales under the clause are directed to be made after possession taken on a judgment to be entered up in the island, and therefore inasmuch as the mortgages executed for securing loans granted by us contain no covenant for payment of the money borrowed, we are advised that an information of debt, or any other proceeding, for the money due to the Crown, could not be sustained against the borrower.

It would also appear that the powers of the Commissioners in proceeding to sales of mortgaged premises are further confirmed and extended by the 21st section of the Act, whereby it is enacted that all mortgages, assignments, &c., to be made as therein mentioned should be good and effectual in the law, and should be of the same quality, force, and effect to all intents and purposes as any obligation made to our Sovereign Lord the then King, or his predecessors, or any of them, had at any time theretofore been, or then was adjudged, received, or taken to be.

Having taken the opinion of counsel for our guidance under the circumstances above stated, we are advised that, in order to take possession of mortgaged premises by proper proceedings in the island upon judgment to be entered up, an information of intrusion should be filed by the Attorney-general, in the name and on behalf of the Crown against the person in possession, and judgment obtained thereon.

In support of this advice, we have been referred to Savile's Reports, 35 (Case 88); Friend and the Duke of Richmond, Hardress's Reports, p. 460; and 5 Bacon's Abridgment, 566, 567, title Prerogative.

We beg leave to submit the course of proceeding thus pointed out to your judgment, and if on consideration thereof, in conjunction with the law officers in the island, you should be of opinion that it is, under the circumstances, the course proper to be pursued for the purpose in question, we have to request that the necessary proceedings may be commenced with as little delay as possible.

We beg also to call your attention to the Act 8 & 9 Vict. c. 50, whereby a power of sale is given without judgment, upon three months' notice being inserted

in the "London Gazette," and in the colonial newspapers, after possession has been taken; but possibly the course before mentioned will be attended with less delay and difficulty than giving the notices required by this Act.

In several cases in the island of Jamaica, the course advised as above stated under the first Act has been pursued without any difficulty or objection, and possession has been obtained and sales effected with great expedition, and at inconsiderable expense.

In acting upon these suggestions, we have no doubt that you will concur with us in opinion, that after possession has been taken, the property should be sold by public auction, with all practicable despatch, so that the risk and expense of holding possession may be limited as much as possible, and that a short date should be fixed for the completion of the purchase.

We beg further to suggest that the sales so to be made, should take place under the following conditions, in addition to such others as you may consider necessary:—

That all damage which shall happen to the property subsequently to the sale, shall be borne by the purchaser.

That the purchaser shall accept the title as to all the premises, as commencing with the mortgages to his late Majesty, and the judgment upon the information of intrusion (if that course be pursued), and the powers and provisions of the Acts of Parliament authorizing the advance of loans, and that the purchaser shall not be entitled to any further or other title, nor to raise any question thereon, or objection thereto.

That the purchaser shall not question the right to sell under the conditions stipulated.

That on completion of the purchase, the mortgage to his late Majesty, and such of the muniments of the mortgagor's title as are in the possession of the Commissioners, will be delivered to the purchaser, but the title will not be verified in any other manner.

1st. As to *Lot Fourteen Estate*, 9,800 *l.*

In the year 1833 application was made to us for a loan in terms of the Act, by or on behalf of Mr. Alexander Cumming, and the necessary preliminaries having been gone through, a treaty was concluded for a loan of 9,800 *l.*, on the security of a mortgage, and transfer of a mortgage of Lot 14 Estate, in Charlotte parish, in the island of St. Vincent, with the appurtenances.

A deed was accordingly executed bearing date the 2d July 1833, whereby the Lot 14 Estate, with the appurtenances, were conveyed to his late Majesty King William the Fourth, by the Honourable W. Fraser, Alexander Neilson & Co., and the said Alexander Cumming, subject to a proviso for making the same deed void on payment of 9,800 *l.*, on or before the 2d July 1843, with interest thereon, at the rate of 4 *l.* per cent. per annum, at the expiration of the third year from the date of the deed, and thenceforth annually.

We forward herewith the following deeds and papers relating to this estate:—

8 and 9 May 1818.—Indentures of Lease and Release, and Mortgage, from Butler Thompson Claxton & Alexander Cumming, Esquires, to the Honourable William Fraser & Co.

1 and 2 July 1833.—Indentures of Lease and Release, Assignment and Mortgage, from the Honourable William Fraser & Co., and Alexander Cumming, to his late Majesty King William the Fourth, for seeuring 9,800 *l.*, and Interest.

2d. As to *Rabaca Estate*, 7,300 *l.*

In the year 1833, application was also made to us for a loan in terms of the Act by or on behalf of Mr. Alexander Cumming, and a treaty was concluded for a loan of 7,300 *l.*, on the security of a mortgage of Rabaca Estate, in Charlotte parish, in the island of St. Vincent, with the appurtenances.

A deed was accordingly executed, bearing date the 18th day of February 1835, whereby the Rabaca Estate, with the appurtenances, were conveyed to his late Majesty King William the Fourth by the said Alexander Cumming, subject to a proviso for making the same deed void on payment of 7,300 *l.* on or before the 18th February 1845, with interest thereon at the rate of 4 *l.* per cent. per annum, at the expiration of the third year from the date of the deed, and thenceforth annually.

We forward herewith the following deeds and papers relating to this estate:—

2 and 3 April 1818.—Indentures of Lease and Release, and Mortgage, from Alexander Cruikshank, esq., to Messrs. Brooke & Struth.

27 and 28 October 1822.—Indentures of Lease and Release from Sir William John Struth to Messrs. Brooke & Co.
2 and 3 July 1828.—Certified Copies Indentures of Lease and Release from said Alexander Cruikshank to Alexander Cumming, esq. of Rabaca Estate.
6 June 1832.—Power of Attorney from said Alexander Cumming to the Honourable William Fraser & Co.
17 and 18 February 1835.—Indentures of Lease and Release, and Mortgage, from said Alexander Cumming and others to his late Majesty King William the Fourth, for securing 7,300 *l.*, and Interest at four per cent.

3d. As to *Grove Estate*, 800 *l.*

In the year 1833 application was made to us for a loan in terms of the Act by Mr. and Mrs. Hill, and a treaty was concluded for a loan of 800 *l.* on the security of a mortgage of the Grove Estate, in the parish of St. Patrick, in the island of St. Vincent, with the appurtenances.

A deed was accordingly executed, bearing date the 13th January 1835, whereby the Grove Estate, with the appurtenances, were conveyed to his late Majesty King William the Fourth by John Hill, and Henrietta Gordon, his wife, subject to a proviso for making the same deed void on payment of 800 *l.* on or before the 13th January 1845, with interest thereon at the rate of four per cent. per annum at the expiration of the third year from the date of the deed, and thenceforth annually.

We forward herewith the following deeds and papers relating to this estate :—

28 September 1826.—
28 February 1828.— } Certified copy of the Will and Codicil of William Hepburn, esq.
26 October 1828.—Certified copy of the Will of Robert Gordon.
28 February 1830.—Certified copy Indenture of Release from William Hepburn, the younger, to the Executors of Robert Gordon, esq.
29 April 1830.—Indenture of Release and Conveyance from said William Hepburn and another to Peter Fraser Grant, esq., and others, of the Grove Estate upon Trust.
1 January 1835.—Affidavit of George Hyde, esq., in support of title.
12 and 13 January 1835.—Indentures of Lease and Release, and Mortgage, from the said John Hill and Henrietta Gordon Hill, to his late Majesty King William the Fourth, for securing 800 *l.*
26 April 1842.—Copy Notice served on the West Indian Islands Relief Commissioners on behalf of Mr. John Constable, a Mortgagee subsequent to the Crown.

4th. As to the *Spring Estate*, 600 *l.*

In the year 1836 application was made to us for a loan in terms of the Act, by Mr. and Mrs. Hill, and a treaty was concluded for a loan of 600 *l.* on the security of a mortgage of the Spring Estate, in the parish of St. Patrick, in the island of St. Vincent, with the appurtenances.

A deed was accordingly executed, bearing date the 15th September 1840, whereby the Spring Estate, with the appurtenances, were conveyed to Her Majesty Queen Victoria by the said John Hill, and Henrietta Gordon, his wife (with the consent of Mr. John Constable), subject to a proviso for making the same deed void on payment of 600 *l.* on or before the 15th September 1850, with interest thereon at the rate of four per cent. per annum at the expiration of the third year from the date of the deed, and thenceforth annually.

We forward herewith the following deeds and papers relating to this estate, 17th February 1830, attested :—

Copy Deed of Feoffment, from Gordon Augustus Thomson, Esq., to Robert Thomson and another, of one-third of Spring Estate.
10 May 1839.—Attested copy Release from said Robert Thomson and others to Mr. and Mrs. Hill.
27 September 1839.—Declaration by Harriet Chapman in support of Title.
14 and 15 September 1840.—Indentures of Lease and Release and Mortgage from said John Hill, and Henrietta Gordon, his wife, to Her Majesty, for securing 600 *l.*, and Interest at 4 per cent.
15 September 1840.—Bond of Indemnity from said John Hill to Her Majesty against certain Annuities and Legacies charged on the Spring Estate.
26 April 1842.—Copy notice served on the West Indian Islands Relief Commissioners on behalf of Mr. John Constable, a Mortgagee subsequent to the Crown.

As before mentioned, the whole of the principal sums are in arrear, with interest at four per cent. on 9,900 *l.* from 2d July 1845, as regards Lot 14 Estate; on 7,300 *l.* from 18th February 1846, as regards Rabaca Estate; on 800 *l.* from 13th January 1845, as regards Grove Estate; and on 600 *l.* from 15th September 1840, as regards Spring Estate.

In pursuance of the 9th section of the 2 & 3 Will. 4, c. 125, before referred to, and in virtue of all other powers giving us authority in this respect, we do therefore hereby refer to you the cases of the loans granted on Lot 14 Estate, Rabaca Estate, Grove Estate, and Spring Estate, respectively, for the purpose of your taking immediate steps for effecting an absolute sale of the premises comprised in each of the said mortgages, or of a competent part thereof respectively, and such other proceedings as may be found requisite to raise such several sums as will be sufficient to repay the moneys due in respect of each of the said loans, and the interest thereof respectively, and all costs and charges attending the proceedings.

We also send the declarations of Mr. Brickwood, our secretary, made before the Lord Mayor, and authenticated by his seal of office, setting forth a description of the several estates, &c., comprised in each mortgage, and stating the several amounts of principal and interest due thereon respectively.

We have, &c.
(signed) *A. Y. Spearman,*
F. Goulburn,
Hy. L. Wickham.

— No. 76. —

COPY LETTER from *J. S. Brickwood,* Esq., to the Lords Commissioners of Her Majesty's Treasury.

Tourama Estate, St. Vincent.

Loan - - - - - - -	£. 9,200	– –
Principal repaid - - - - - -	1,840	– –
Balance - - -	£. 7,360	– –

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
8 December 1854.

My Lords,

I HAVE the honour to draw the attention of your Lordships, 1st. To this Board's letter of 26th October last, containing a statement of the circumstances under which, for compounding the Crown's claim against the above-named estate, the Commissioners submitted the offer of 5,000 *l.* for the consideration of your Lordships, and enclosing a form of warrant applicable to the case for signature, in case your Lordships should deem it expedient to sanction the proposal made.

2. To Sir Charles Trevelyan's letter of the 6th November, informing this Board that, adverting to the higher estimates of the value of this estate as received from the Commissioners in Aid in St. Vincent, my Lords do not consider that they would be justified in accepting the sum offered, and that it should be intimated to the parties that, unless they are prepared to offer a sum more nearly approaching to what the estate may be expected to realize, the Commissioners should proceed to sell the estate.

3. To Mr. Le Gall's letter of the 13th November (of which a copy is enclosed), stating the inability of himself and partner to avert the alternative suggested, with observations in reference thereto. And,

4. I am directed to inform your Lordships, that, in a conference at this office, on the 20th November, with Mr. R. G. MacDonnell, recently the Lieutenant-governor in St. Vincent, and President of the Board of Commissioners in Aid there, Mr. MacDonnell referred to the information received from the two valuators, showing, that after their appraisements of the estates in St. Vincent had been made, the Asiatic cholera had caused great mortality, and a deficiency in labour, whereby many of the estates would be much depreciated in value; he also adverted

adverted to the fact that the loan, which was originally 9,200*l.*, had been reduced to 7,360 *l.*, by payment of 1,840 *l.* And from his knowledge of the extent to which the effects of the cholera were applicable to the Tourama Estate, expressed his opinion in favour of accepting the sum of 5,000*l.*, as offered, for compounding the Crown's claim on that property.

Under the above circumstances, I am directed to request your Lordships' further instructions on the course to be pursued.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

Enclosure in No. 76.

Tourama Estate, St. Vincent.

Sir, Ayr, 13 November 1854.

I BEG to acknowledge the receipt of your communication of the 10th instant, conveying the rejection by the Lords Commissioners of Her Majesty's Treasury of the offer contained in my letter to you of the 25th ultimo, for a compromise of the Crown's claim against this estate, and an intimation that unless I should be prepared to offer a sum more nearly approaching to what the estate might be expected to realise, your Board of Commissioners should proceed to sell the estate. Should such be a final determination upon the subject, I am only in a position to state, with the deepest disappointment and regret, my inability to avert the alternative suggested, inasmuch as not only is it totally out of my power to increase the offer which I have made, but were it otherwise I should not feel justified in doing so, and should the estate be brought to sale by the Crown, I shall be much mistaken if the result do not very sufficiently illustrate the practical difference between the valuers employed by the Commissioners in Aid putting a value upon the estate for the purpose of a compromise, and the actually obtaining from a *bonâ fide* purchaser the amount of that value, or any amount more nearly approximating to it than that which I have offered.

I am, &c.
(signed) *John Le Gall*, for self and *James Graham*.

J. S. Brickwood, Esq., Secretary,
&c. &c.

— No. 77. —

COPY LETTER from *J. S. Brickwood*, Esq., to the Lords Commissioners of Her Majesty's Treasury.

Belmont Estate, St. Vincent.

West India Islands' Relief.

Public Works Loan Office, South Sea House, London,
My Lords, 9 December 1854.

I AM directed by the Commissioners for the Relief of certain of the West Indian Islands to draw the attention of your Lordships to the Act 8 & 9 Vict. c. 50, intituled, "An Act to facilitate the Recovery of Loans made by the West India Relief Commissioners," by the third section whereof it is enacted, that it shall be lawful for the Commissioners, with the consent in writing of the Lords Commissioners of Her Majesty's Treasury to compound any debt on account of any loan advanced by this Board.

Under the provisions of that Act the Commissioners have received an offer of compromise under the following circumstances.

In March 1834 a loan of 2,000 *l.* was advanced to Mr. Alexander Cruikshank to be applied to the restoration of works and machinery destroyed or injured during the hurricane of 1831, on Belmont Estate, St. Vincent, on the security of a mortgage of that property.

Interest was paid during 11 years, that is, from the advance of the loan to the 12th March 1845.

On the 12th March 1844 the principal sum of 2,000 *l.* became payable, according to the terms of the securities, and that sum, with interest at 4*l.* per cent. per annum, from 12th March 1845, is now payable.

Urgent applications having been annually made for payment of the amounts due, and notice given of the Commissioners' intention to sell the property in the event of continued non-payment, the agents of Mr. A. Robertson, the present pro-

prietor, have expressed a desire to compound the Crown's claim, and have offered for that purpose the sum of 300*l.*

This Board have received a report from the Commissioners in Aid in St. Vincent, showing that the two valuators employed by them concurred, on 4th October last, in the opinion that, in consequence of the want of water or other motive power to grind the canes, and of the buildings being in a very dilapidated condition, the appraised value of the property was 350*l.*

Under these circumstances the Commissioners beg to submit the offer of 300*l.* for the consideration of your Lordships, and I am directed to enclose the form of warrant applicable to the case for your Lordships' signature, in case you should deem it expedient to sanction the proposal made.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 78. —

COPY LETTER from same to same.

Belle Vue Estate, St. Vincent.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
My Lords, 9 December 1854.

I AM directed by the Commissioners for the Relief of certain of the West Indian Islands to draw the attention of your Lordships to the Act 8 & 9 Vict. c. 50, intituled, "An Act to facilitate the Recovery of Loans made by the West India Relief Commissioners," by the third section whereof it is enacted, that it shall be lawful for the Commissioners, with the consent in writing of the Lords Commissioners of Her Majesty's Treasury, to compound any debt on account of any loan advanced by this Board.

Under the provisions of that Act the Commissioners have received an offer of compromise, under the following circumstances:

In September 1833 a loan of 1,700*l.* was advanced to the trustees of Colonel Gerard, to be applied to the restoration of works and machinery destroyed or injured during the hurricane of 1831 on Belle Vue Estate, St. Vincent, on the security of a mortgage of that property.

Interest was paid during 11 years; that is, from the advance of the loan to 22d September 1844.

On the 22d September 1843 the principal sum of 1,700*l.* became payable according to the terms of the securities, and that sum, with interest at four per cent. from 22d September 1844, is now due.

The estimated value of the property, as reported by the Commissioners in Aid in St. Vincent, was, on the 4th September last, 2,500*l.*; but the Commissioners in Aid offer no opinion as to the probability of a purchaser being found at that or any other sum. The valuators, however, confirm the statement made by the proprietor, in the letters after referred to, of the large amounts recently expended by him for repairs and new machinery.

Urgent applications have been made by this Board for payment of the amounts due, and notice given of the Commissioners' intention to sell the estate in the event of continued non-payment, in answer to which Mr. Gerard has recently opened a negotiation for compounding the Crown's claim, under the circumstances stated in his letters of 18th and 30th October and 14th November, addressed to this Board, copies of which are enclosed, whereby he ultimately offers 1,000*l.* in full discharge of the loan and interest.

I am directed to draw your Lordships' attention to the foregoing circumstances, and Mr. Gerard's letters, and I am to request that this Board may be favoured with your Lordships' directions.

And in the event of your deciding to accept the composition, a form of warrant applicable to the case will be forwarded to you upon an intimation being given that it is required.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

Enclosure 1, in No. 78.

Rochsoles by Airdrie, N. B.,
18 October 1854.

Sir,

I HAVE the honour to acknowledge the receipt of your letter, in reference to the Hurricane Loan Debt for the estate of Belle Vue, intimating that the Commissioners are willing to receive an amended offer from me in composition of the debt due to the Crown.

After mature consideration, and with much misgiving, I have decided upon making an offer of 10 *s.* in the £. (or 850 *l.*) upon the original debt, in liquidation of the debt, and amount of arrears of interest.

This sum is, I think, larger than I am quite justified in offering, considering the lamentable depreciation of property, and the prospects of the estate; and I think the Commissioners cannot but consider it an adequate one.

In addition to the general depreciation in the value of the estate, I beg most earnestly to submit to the Commissioners that this present year, in consequence of unfavourable seasons, and other local causes, I shall suffer a very heavy loss in keeping up the cultivation of the estate. The crop has this year fallen off (though the expense of cultivation was the same) from about 130 hogsheads of sugar to 57 hogsheads, the loss upon which must exceed 800 *l.* Under these circumstances, I can only appeal to the generosity of the Commissioners, and entreat them to be merciful.

I have, &c.
(signed) *Arch. Gerard.*

J. S. Brickwood, Esq.,
&c. &c. &c.

Enclosure 2, in No. 78.

Carstairs House, Lanark, N. B.,
30 October 1854.

Sir,

I HAVE been made acquainted by Mr. Milne with the interview he had with you a few days ago, in reference to the Hurricane Loan Debt on the estate of Belle Vue.

It appears that whilst you decline, on the part of the Commissioners, to accept of my offer of 850 *l.*, you are disposed to recommend their accepting of 1,000 *l.*, in consideration of a large sum having been recently expended in the purchase and erection of new machinery for the estate.

Mr. Porter, my attorney, who waited upon you, stated, I believe, that sum to be 1,500 *l.* I have been looking over my merchant's accounts, and I find that the cost of the machinery in question came close upon 1,000 *l.* In addition to this, a very heavy expense was incurred in the erection of the new Gadsden's pans for sugar making, much building and alteration of the works being required. As those charges were included in the estate accounts, I cannot state the exact amounts; but as the alterations were carried on under the immediate superintendence of Mr. Porter, I have no doubt he is correct in stating the sum he did.

Whilst I return you my thanks for your proposing to recommend to the Commissioners to accept of 1,000 *l.* in consideration of such an outlay, I may be permitted once more to entreat you to reconsider my offer of 850 *l.*

In addition to this heavy outlay for machinery, as before stated, I have expended, in the last eight years, upwards of 1,500 *l.* in keeping the estate in cultivation, and the loss on present crop cannot be less than 800 *l.* more.

I would also beg earnestly to call your attention to the fact, that, since the valuation was taken, cholera has broken out in the island; vast numbers of the labourers have been swept off; the black population are completely panic-stricken; and the next crop must necessarily be seriously injured, if not entirely ruined. With such a prospect, and the certainty of still more scanty supply of labour than formerly, a yet greater depreciation of the value of property must take place, and it is not unreasonable to suppose that the value fixed recently of different estates cannot be expected to be realised.

Under these circumstances, I trust you will admit that I have made out a sufficient case of accumulated misfortune to justify you in recommending my offer of 850 *l.* to the favourable consideration of Her Majesty's Commissioners.

I have, &c.
(signed) *Arch. Gerard.*

J. S. Brickwood, Esq.,
&c. &c. &c.

Enclosure 3, in No. 78.

Rochsoles by Airdrie, N. B.,
14 November 1854.

Sir

I HAVE the honour to acknowledge the receipt of yours of the 10th, and regret to find that you do not feel yourself justified in recommending the Lords of Her Majesty's Treasury to accept my offer of 850 *l.* in liquidation of the debt and arrears of interest due to Government for the Hurricane Loan granted to the estate of Belle Vue.

I fondly hoped that you would have been disposed to take into favourable consideration the fact, that a very heavy additional calamity, arising from a miserably short crop, and a dreadful visitation of Providence in the shape of cholera, has fallen upon my estate during the present year, and that you would, under the circumstances, have considered my offer a sufficient one.

As, however, you do not consider it such, and have named a sum which you think you would be justified in recommending to the Commissioners to accept, viz. 1,000*l.*, I feel myself reluctantly compelled to extend my offer to that sum, and I now hope you will make such a report to the proper authorities.

In making this offer, I feel that I am going to the utmost limit that I would be justified in going to, and indeed I believe further than prudence would dictate.

I do so, however, to show you that I am desirous to meet Her Majesty's Commissioners in a fair and liberal spirit, and effect a *bonâ fide* settlement of the debt, by payment of the largest sum that my means will admit of.

Hoping, therefore, that you will be so kind as bring the matter before the favourable consideration of Her Majesty's Commissioners,

I have, &c.

J. S. Brickwood, Esq., &c. &c. &c.

(signed) *Arch. Gerard.*

— No. 79. —

COPY LETTER from *J. Wilson*, Esq., M. P., to the West India Relief Commissioners.

Gentlemen, Treasury Chambers, 11 December 1854.

WITH reference to your secretary's letter of the 21st October last, relative to the Layou Hill, and other St. Vincent estates, I am commanded by the Lords Commissioners of Her Majesty's Treasury to acquaint you, that my Lords have carefully considered the matter brought to your notice in Lieutenant-Governor MacDonnell's letter of the 26th September.

My Lords are of opinion that it would not be wise to disturb the possession of poor negroes in the cottages of which they have become the *bonâ fide* proprietors, but their Lordships request that an immediate communication may be made to the Commissioners in Aid, in order that they may prevent the abuse extending further.

In order to prevent the inconvenience which Lieutenant-Governor MacDonnell anticipates from other parties becoming purchasers of the properties in question, and dealing harshly with the Negro population, my Lords request that it be made a special condition in the sale, that such who have up to this time become *bonâ fide* owners shall not be disturbed.

I am, &c.

(signed) *James Wilson.*

— No. 80. —

COPY LETTER from the West India Relief Commissioners to the Commissioners in Aid in St. Vincent.

Westwood and Layou Hill Estates, St. Vincent.

To the Lieutenant-Governor and the other Commissioners acting in the Island of St. Vincent in Aid of the Commissioners appointed by or under the Act 2 & 3 Will. 4, c. 125.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,

Gentlemen, 22 December 1854.

IN conformity with the provisions of the Statute of the Imperial Parliament above referred to, we have the honour to request your immediate intervention on behalf of the Crown, and in furtherance of the objects for which we have been appointed under the circumstances which we proceed to lay before you.

Among

Among other loans which were advanced to the proprietors of estates in St. Vincent, were the following:

	£.
Westwood Estate - - - - - - - -	1,000
Layou Hill Estate - - - - - - -	600

The whole of the above-mentioned principal sums, with a large amount of interest, are in arrear, notwithstanding repeated applications have been made to the parties interested in the estates, and their agents in England, for payment, and no arrangement has been proposed by either of them for the gradual liquidation of the loan or otherwise.

We therefore feel ourselves called upon, on the part of the Crown, to enforce the remedies provided by our Acts of Parliament, for raising the principal and interest due, by sales of the property comprised in the mortgages.

The ninth section of the Act 2 & 3 Will. 4, c. 125, provides for the constitution of Commissioners in the several islands to act in aid of the Commissioners under the Act in all such cases, and in relation to all matters and things which should be referred to them by the Commissioners named in that Act, and our letter to you of the 1st instant will draw your attention to the course we are advised should be pursued, and therefore to that, and the accompanying letter of this date, we beg to refer you.

1st. As to *Westwood Estate*, 1,000 *l.*

In the year ended 1833 application was made to us for a loan in terms of the Act by Dr. Thomas Coull, and a treaty was concluded for a loan of 1,000 *l.*, on the security of a mortgage of the Westwood Estate, in the parishes of St. Patrick and St. David, in the island of St. Vincent, with the appurtenances.

A deed was accordingly executed, bearing date the 23d November 1833, whereby the Westwood Estate, with the appurtenances, were conveyed to his late Majesty King William the Fourth, by the said Thomas Coull and Elizabeth Mary Langford, his wife (with the consent of Mr. Joseph Liggins) subject to a proviso for making the same deed void on payment of 1,000 *l.* on or before the 10th day of April 1843, with interest thereon, at the rate of four per cent. per annum, at the expiration of the third year from the 10th April 1833, and thenceforth annually.

We forward herewith the following deeds and papers relating to this estate:—

30 and 31 July 1789.—Official certified Copy Indentures of Lease and Release from Thomas Wolley to Robert Paul, in Trust for Charles Grant.

29 and 30 July 1792.—Official certified Copy Indentures of Lease and Release from said Robert Paul and Charles Grant to William Coull.

28 November 1832.—Certificate of the Grant of Administration of the Estate and Effects of William Coull to the Rev. James Coull.

11 April 1833.—Certificate of the Grant of Administration of the Estate and Effects of the said James Coull to Dr. Thomas Coull.

22 and 23 November 1833.—Indentures of Lease and Release, and Mortgage, from Thomas Coull, and Elizabeth Mary Langford, his Wife, and Joseph Liggins, to his late Majesty King William the Fourth, for securing 1,000*l.* and Interest at four per Cent.

2d. As to *Layou Hill Estate*, 600 *l.*

In the year 1833 application was made to us for a loan in terms of the Act, by or on behalf of Mr. Robert Cowdrey, and a treaty was concluded for a loan of 600*l.* on the security of a mortgage of the Layou Hill Estate, in the parishes of St. Andrew and St. Patrick, in the island of St. Vincent, with the appurtenances.

A deed was accordingly executed, bearing date the 4th of April 1834, whereby the Layou Hill Estate, with the appurtenances, were conveyed to his late Majesty King William the Fourth, by the said Robert Cowdrey, with the consent of Warner Ottley, esq., subject to a proviso for making the same deed void on payment of 600 *l.*, on or before the 4th day of April 1844, with interest thereon, at the rate of four per cent. per annum at the expiration of the third year from the date of the deed, and thenceforth annually.

We forward herewith the following deeds and papers relating to this estate:—

15 December 1825.—Attested Copy Agreement between George Henry Ames, Esq., and others, and said Robert Cowdrey, for the sale of Layou Estate.

24 May 1826.—Office Copy Order in a Cause of "Aldridge *v.* Forbes," confirming Report for Sale of Layou Estate, &c.

9 August 1828.—Draft of Indenture of Release and Conveyance from the said George Henry Ames, and another, to said Robert Cowdrey, and others; and Conveyance by way of mortgage to a Trustee for Warner Ottley, Esq.

3 and 4 April 1834.—Indentures of Lease and Release, and Mortgage, from the said Robert Cowdrey, and others, to his late Majesty King William the Fourth, for securing 600*l.*, and interest at four per cent.

As before mentioned, the whole of the principal sums are in arrear, with interest at four per cent. on 1,000*l.*, from 10th April 1842, as regards Westwood Estate, and on 600*l.*, from 4th April 1847, as regards Layou Hill Estate.

In pursuance of the 9th section of the 2 & 3 Will. 4, c. 125, before referred to, and in virtue of all other powers giving us authority in this respect, we do, therefore, hereby refer to you the cases of the loans granted on Westwood Estate and Layou Hill Estate, respectively, for the purpose of your taking immediate steps for effecting an absolute sale of the premises comprised in each of the said mortgages, or of a competent part thereof respectively, and such other proceedings as may be found requisite to raise such several sums as will be sufficient to repay the moneys due in respect of the said loans, and the interest thereof respectively, and all costs and charges attending the proceedings.

We also send the declarations of Mr. Brickwood, our secretary, made before the Lord Mayor, and authenticated by his seal of office, setting forth a description of the estates, &c., comprised in each mortgage, and stating the amounts of principal and interest due thereon respectively.

We have, &c.
(signed) *A. Y. Spearman,*
H. L. Wickham,
H. J. Prescott,
F. Goulburn.

— No. 81. —

Copy LETTER from *J. S. Brickwood,* Esq., to the Lords Commissioners of Her Majesty's Treasury.

Belle Vue Fortuné Estate, Dominica.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
28 December 1854.

My Lords,

I am directed by the Commissioners for the Relief of certain of the West Indian Islands to draw the attention of your Lordships to the Act 8 & 9 Vict. c. 50, intituled, "An Act to facilitate the Recovery of Loans made by the West India Relief Commissioners," by the third section whereof it is enacted, that it shall be lawful for the Commissioners, with the consent in writing of the Lords Commissioners of Her Majesty's Treasury, to compound any debt on account of any loan advanced by this Board.

Under the provisions of that Act the Commissioners have received an offer of compromise under the following circumstances:—

In April 1840 a loan of 500*l.* was advanced to F. & R. Giraud, to be applied to the restoration of works and machinery destroyed or injured during the hurricane of 1834 on Belle Vue Fortuné Estate, Dominica, on security of a mortgage of that property.

Interest was paid during four years, that is, from the advance of the loan to April 1844.

On the 16th April 1850, the principal sum of 500*l.* became payable according to the terms of the securities, and that sum, with interest at four per cent. from 16 April 1844, is now due.

Applications having been made annually for payment of the amounts due, and not having been complied with, notice was given of the Commissioners' intention to sell the property in the event of continued non-payment; and, in consequence thereof, Mr. Fras. Giraud, the present proprietor, expressed a wish to compound the Crown's claim, and for that purpose has offered the sum of 70*l.*, and adds, that he hopes that this offer may be accepted as the "only terms in his power to propose, otherwise the result will be the ejection from a small property of an individual

vidual of 80 years of age, who would be thereby thrown upon the world deprived of all earthly means of support for himself and a large family entirely dependent upon him."

On receipt of Mr. Giraud's offer this Board transmitted it to Major Blackall, the Lieutenant-governor of Dominica, now in Ireland, for his opinion thereon, and I enclose a copy of his reply (4 November 1854).

I am directed to draw your Lordships' attention to the foregoing circumstances, and to request that this Board may be favoured with your Lordships' instructions.

In the event of your deciding to accept the composition, a form of warrant applicable to the case will be forwarded to you upon an intimation being given that it is required.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

Enclosure in No. 81.

Vide Letter, No. 71, *ante*.

— No. 82. —

COPY LETTER from *J. S. Brickwood*, Esq., to Lieutenant-Governor *R. G. MacDonnell*, St. Vincent.

Negro Villages on Layou Hill and other Estates, St. Vincent.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 30 December 1854.

I HAVE the honour to inform you that this Board have received a letter stating the opinion of the Lords Commissioners of Her Majesty's Treasury, that it would not be wise to disturb the possession of the poor Negroes in the cottages of which they have become the *bonâ fide* proprietors, and requesting this Board to make a communication to the Commissioners in Aid, in order that they may prevent the abuse extending further; and in order to prevent the inconvenience which you anticipate from other parties becoming purchasers of the properties in question, and dealing harshly with the Negro population, their Lordships have requested that it be made a special condition in the sale, that such as who have up to this time become *bonâ fide* owners, shall not be disturbed.

Thus it has become needless for me to trouble you further on the subject.

I am, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 83. —

COPY LETTER from *J. S. Brickwood*, Esq., to the Commissioners in Aid in St. Vincent.

Richmond and Dalvey Estates, St. Vincent.

To the Lieutenant-Governor and the other Commissioners acting in the Island of St. Vincent in Aid of the Commissioners appointed by or under the Act 2 & 3 Will. 4, c. 125.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Gentlemen, 30 December 1854.

I AM directed by the West India Relief Commissioners to inform you that an application was some time since made by the proprietor of Richmond and Dalvey Estates to compound the Crown's claim upon payment of 3,000 *l.*, and that upon such offer being communicated by this Board to the Lords Commissioners of Her Majesty's Treasury, together with the valuation of the property received from you, their

their Lordships were pleased to state, that they did not consider that they would be justified in accepting such offer, and directed that it should be intimated to the party, that unless he was prepared to offer a sum more nearly approaching to what the estates might be expected to realise, this Board should proceed to sell the estates.

Upon communicating their Lordships' opinion to Mr. Cruikshank, a letter, dated the 11th November 1854, was received from him (a copy of which is enclosed), and transmitted to the Treasury, with the following extracts from the valuators' reports.

Mr. Cowie concludes his report by stating, "At the time the foregoing estates were appraised by Mr. Bascom and myself, Asiatic cholera had not appeared upon any of them; it is with deep regret I have now to state, that it has been very fatal on some of them, and that on a few the supply of labour will in consequence thereof be seriously affected."

Mr. Bascom states, "The estates encumbered with Government loans having been all appraised, I would remark, that the Asiatic cholera having caused great mortality on some of those which were first appraised" (including Richmond), "they will, in consequence of the deficiency in labour, be much depreciated in value, but to what extent I am unable to say."

Under the above circumstances, I am directed, by the command of their Lordships, to request that you will take measures for obtaining, with as little delay as possible, a renewed valuation of these estates in their present circumstances, and that you will transmit such valuation to this Board, with your opinion as to the probability of a purchaser being forthcoming at the amount thereof, or any and what other sum.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

Enclosure in No. 83.

Vide Enclosure in No. 73, *ante*.

— No. 84. —

COPY LETTER from *J. S. Brickwood*, Esq., to the Commissioners in Aid in St. Vincent.

To his Excellency the Lieutenant-Governor and the other Commissioners appointed by or under the Act 2 & 3 Will. 4, c. 125.

West India Islands Relief.

(St. Vincent.)

Public Works Loan Office, South Sea House, London,
Gentlemen, 1 January 1855.

1. I AM directed to inform you, that the despatches received from the late Lieutenant-Governor of St. Vincent, numbered 1 to 19, and dated between 10th June and 11th of October 1854, have from time to time been taken into consideration, although no answer has been given to some portions thereof, beyond the acknowledgment of their receipt.

2. Considerable delay at first arose in consequence of the notice given of the intention of bringing the subject of the Hurricane Loans under the consideration of Parliament, and the Lords of Her Majesty's Treasury, with whom this Board were in communication, were unwilling to come to any decision as to the course to be pursued until the subject had been discussed, and further delay afterwards arose from the desire of this Board to receive and consider the valuations of the various estates charged with the loans.

3. The valuations have been received, and the Commissioners have since had the advantage of conferring personally with the late Lieutenant-governor (R. G. MacDonnell), and from the explanations and information given by him, it will not now be necessary to go so fully into the despatches referred to as would otherwise have been expedient.

4. Before

4. Before proceeding to answer the various points arising upon the despatches which are now necessary to be answered, it appears desirable to make a few observations with reference to the origin of these loans, and the existing circumstances in relation thereto.

5. In 1832, in consideration of the heavy losses which had been sustained by insurrection in Jamaica, and hurricanes in certain of the Leeward Islands (and among others St. Vincent), an Act of Parliament was passed, authorising the advance of money by way of loan, repayable at the expiration of 10 years, with interest at four per cent. 2 & 3 Will. 4, c. 125.

6. By means of such loans relief to a considerable extent was afforded, and by subsequent Acts of Parliament power was given to extend the time for the repayment of the loans upon certain conditions; other powers were from time to time also given, and among others, powers of sale of the estates, and to compound the loans.

7. The late Lieutenant-governor having placed before Her Majesty's Government the views and opinions stated by him in the despatch No. 1, and the subject having been since discussed in Parliament, and conferences subsequently had with Mr. MacDonnell, it does not appear necessary to advert further thereto. Despatch No. 1.

8. As to the mode of defraying travelling and other expenses, incurred or to be incurred by you, and as to the amounts to be paid by way of remuneration to your officers, I have to inform you, that it will be requisite to furnish this Board, from time to time, with a statement of the nature and amount of the expenses incurred, together with an estimate of the amounts which in your opinion ought to be paid in respect thereof; on receipt of which, this Board, in accordance with the course pursued in reference to other islands, will report to the Lords of Her Majesty's Treasury the amount which, in the opinion of this Board, should be issued, in order to defray proper expenses, and to pay moderate remunerations. Despatch No. 2.

9. With reference to the Attorney-general's letter of 8th June 1854, to the Lieutenant-governor, I have to observe, that he is entirely mistaken in supposing that the Commissioners in England are remunerated, the services of the Commissioners being entirely gratuitous.

10. The Attorney-general is aware that the duty of acting as Commissioner in Aid is cast upon him by the Statute as part of the duty of his office, and this Board cannot doubt that he will carefully and anxiously discharge the duties of Commissioner in Aid, although they have no means whatever of attaching any salary thereto.

11. With reference, however, to the last part of the third paragraph of the despatch No. 2, I am directed to observe, that in other islands (especially Jamaica), in which the Commissioners in Aid have found it necessary to employ counsel in any proceedings instituted by them in the execution of their duties under the Commission, it has been the practice to employ the Attorney-general of the island, and to pay to him the proper and accustomed fees as such Counsel, and no inconvenience, so far as this Board is aware, has hitherto arisen therefrom.

12. The instructions contained in the letter of 1st December last, from this Board to you, with reference to Lot 14, Rabaca, Spring, and Grove Estates, render it unnecessary to refer to the other despatches, with the exception of Numbers 14 and 17.

13. As to Mr. Raggie's offer to purchase Layou Hill Estate at the sum at which it may be valued, I am directed to state that Mr. Raggie does not appear to have such a present interest in the estate as would enable him to compound the Crown's claim, or the Board would be willing to accept the amount of the valuation in full discharge of such claim; nor do the Commissioners feel authorised to sell the estate to him by private treaty. By this packet you will receive the Board's instructions to take the necessary proceedings for bringing the estate to sale in the usual manner. Despatch No. 14.

14. The substance of the Despatch, No. 17, has been laid before the Lord of Her Majesty's Treasury, and, in reply, their Lordships, by letter dated the 11th December last, have been pleased to acquaint this Board that they have carefully considered the matter, and are of opinion that it would not be wise to disturb the possession of poor Negroes in the cottages of which they have become Despatch No. 17.

the *bonâ fide* proprietors; but their Lordships request an immediate communication to be made by this Board to you, in order that you may prevent the abuse extending further.

And their Lordships add a request, in order to prevent the inconvenience which Lieutenant-governor MacDonnell anticipates from other parties becoming purchasers of the properties in question, and dealing harshly with the Negro population, that it be made a special condition in the sale that such who have up to the date of their Lordships' letter become *bonâ fide* owners shall not be disturbed.

15. I enclose a copy of their Lordships' letter, and you will be pleased to act in conformity with the instructions therein contained.

I have, &c.
(signed) *J. S. Brickwood,* Secretary.

— No. 85. —

Copy LETTER from the West Indian Relief Commissioners to the Commissioners in Aid, in *Dominica.*

Hampstead Estate, Dominica.

To His Excellency the Lieutenant-Governor, and the other Commissioners acting in Aid of the Commissioners appointed by or under the Act 2 & 3 Will. 4, c. 125.—*Dominica.*

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Gentlemen, 10 January 1855.

We beg to call your attention to our letter to you of the 1st March 1854, referring to you the case of the loan granted to Mr. John Constable, on security of the Hampstead Estate, Dominica, for the purpose of your taking steps for effecting an absolute sale of the premises comprised in the mortgage, or of a competent part thereof; also to our Secretary's letter to you of the 15th April, requesting your opinion upon an offer made to compound the Crown's claim, and if you consider such offer should be accepted, requesting you to suspend proceedings, and to return the deeds.

The deeds were returned accordingly, but the offer to compound has since been withdrawn; we have now therefore to request that you will take the necessary steps for carrying out the instructions contained in our letter to you of the 1st of March 1854, which we hereby confirm, and we return the several deeds and documents therein particularly specified.

We have, &c.
(signed) *A. Y. Spearman,*
H. L. Wickham,
F. Goulburn,
J. S. Brickwood, Secretary. *H. J. Prescott.*

— No. 86. —

Copy LETTER from *J. S. Brickwood,* Esq., to the Lords Commissioners of Her Majesty's Treasury.

Durham Estate, Dominica.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
My Lords, 10 January 1855.

I am directed by the Commissioners for the Relief of certain of the West Indian Islands to draw the attention of your Lordships to the Act 8 & 9 Vict. c. 50, intituled, "An Act to facilitate the Recovery of Loans made by the West India Relief Commissioners," by the third section whereof it is enacted, that it shall be lawful for the Commissioners, with the consent in writing of the Lords Commissioners

sioners of Her Majesty's Treasury, to compound any debt on account of any loan advanced by this Board.

Under the provisions of that Act, the Commissioners have received an offer of compromise under the following circumstances:—

In May 1837 a loan of 500 *l.* was advanced to Thomas Bell, esq., in consequence of injuries to works and machinery during the hurricane of 1834, on Durham Estate, Dominica, on the security of a mortgage of that property.

Interest was paid during 10 years, that is, from the advance of the loan to 25th May 1847.

On the 25th May 1847 the principal sum of 500 *l.* became payable, according to the terms of the securities, and that sum, with interest at four per cent. from that date, is now due.

Applications have been made annually for payment of the amount due, and notice having been recently given of the Commissioners' intention to sell the property, in the event of continued non-payment, Mr. Bell has expressed a desire to compound the Crown's claim, and has offered for that purpose the sum of 100 *l.*

In making that offer, Mr. Bell states, that the property was formerly valuable as a coffee plantation, but became unproductive in consequence of the blight; that he then attempted to establish the cultivation of sugar, and in carrying out that measure expended a large amount beyond the loan granted to him; that he has exhausted all his means and energy in attempting to make the cultivation profitable, and has been compelled to abandon the property, and after 30 years' residence in the island, to return to his native country to seek a livelihood and some support for his wife and numerous family, left in Dominica; that the property has become of little value; but as it affords a temporary asylum for those dependent on his exertions, he is desirous of redeeming the loan by payment of such an amount as his circumstances and the aid of friends enable him to offer.

In a recent conference at this office with Major Blackall, the Lieutenant-Governor of Dominica, in reference to Mr. Bell's offer, his Excellency stated his opinion that the property, if offered for sale by auction, in the colony, would not produce so much as 100 *l.*, and decidedly recommended that the offer be accepted.

Under these circumstances, the Commissioners submit the offer of 100 *l.* for the consideration of your Lordships, and I am directed to enclose the form of warrant applicable to the case for your Lordships' signature, in case you should deem it expedient to sanction the proposal made.

I have, &c.
(signed) *J. S. Brickwood*, Secretary.

— No. 87. —

Copy LETTER from the West India Relief Commissioners to the Commissioners in Aid in Dominica.

Blenheim Estate, Dominica.

To his Excellency the Lieutenant-Governor, and the other Commissioners in the Island of Dominica, acting in Aid of the Commissioners appointed by the Statute 2 & 3 Will. 4, c. 125.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Gentlemen, 10 January 1855.

In the year 1842 application was made to us for a loan, in terms of the Act above referred to, and the Act 5 & 6 Will. 4, c. 51, by Mr. Wm. John Burford and John Constable, and the necessary preliminaries having been gone through, a treaty was completed for a loan of 1,500 *l.* on the security of a mortgage of Blenheim Plantation, in the parish of St. Andrew, in the island of Dominica, containing 548 acres and two roods, or thereabouts, with the appurtenances.

A deed was accordingly executed, bearing date the 20th April 1842, whereby the plantation and lands, with the appurtenances, were conveyed to Her Majesty Queen Victoria, by the said William John Burford and John Constable, subject

to a proviso for making the same deed void, on payment of 1,500*l.* on or before 20th April 1852, with interest thereon, at the rate of 4 *l.* per cent. at the expiration of the third year from the date of the deed, and thenceforth annually.

The whole of the principal sum of 1,500*l.*, with interest thereon at four per cent. from the 20th day of April 1845, is in arrear and unpaid, notwithstanding repeated applications have been made for payment, nor has any arrangement been proposed for the gradual liquidation of the loan or otherwise.

We therefore feel ourselves called upon, on behalf of the Crown, to enforce the remedies provided by our Acts of Parliament for raising the principal and interest by a sale of the property comprised in the mortgage.

It is for the purpose of proceeding to a sale of the property in question in the most prompt and efficient manner that we have now to request your interference and assistance under the authority of the Statute by which we are constituted, and in so doing, we beg leave to draw your attention to the 9th section of the Act 2 & 3 Will. 4, c. 125, and the 7th section of the Act 5 & 6 Will. 4, c. 51, which provide for the constitution of Commissioners in the several islands to act in aid of the Commissioners under these Acts, in all such cases and in relation to all matters and things which should be referred to them by the Commissioners named in the first-mentioned Act.

In pursuance of these clauses, and in virtue of all other powers giving us authority in this respect, we do hereby refer to you the case of the loan granted as before mentioned to the said William John Burford and John Constable for the purpose of your taking immediate steps for effecting an absolute sale of the premises comprised in the said mortgage, or of a competent part thereof, and such other proceedings as may be found requisite, in order to raise such sum as shall be sufficient to repay the moneys due in respect of this loan, and the interest thereon, and all costs and charges attending the proceedings.

Our letter to you of the 18th February contains so fully our observations on the course we are advised should be pursued in cases like the present, and our suggestions as to the conditions of sale and other points for your consideration, that it is now only necessary to refer you thereto.

We forward herewith the depositions of Mr. William John Burford and Mr. John Constable, in support of the application for the loan, and the following deeds and papers:—

30 April and 1 May 1806.—Certified Copies of Indentures of Lease and Release from William Brade and James Brade to P. B. Moore and another.
2 and 3 May 1806.—Certified Copies of Indentures of Lease and Release from said P. B. Moore and another to William Brade and James Brade.
3 May 1806.—Certified Copy of Deed Poll under the hands and seals of William Brade and James Brade.
7 Nov. 1807.—Certified Copy Report of the Master in Chancery in "Brade *v.* Henderson."
9 Nov. 1807.—Certified Copy Order confirming said Report.
11 April 1808.—Certified Copy Order of Foreclosure.
13 May 1809.—Office Copy Will of James Brade.
20 February 1818.—Office Copy Will of William Brade.
22 June 1825.—Certified Copy Will of Charles Sydenham.
9 October 1838.—Indenture of Assignment from Thomas Turner and another to John Constable, esq.
14 November 1840.—Declaration of Frederick Hervey Garraway, esq., in support of Title.
19 and 20 April 1842.—Indentures of Lease and Release, and Mortgage, from said William John Burford and John Constable to Her Majesty, of Blenheim Estate, for securing 1,500 *l.* and Interest at four per cent.

We also send the declaration of Mr. Brickwood, our secretary, made before the Lord Mayor, and authenticated by his seal of office, setting forth a description of the property comprised in the mortgage, and stating the amount of principal due thereon, with interest.

We have, &c.
(signed) *A. Y. Spearman,*
H. L. Wickham,
F. Goulburn,
H. J. Prescott.

(signed) *J. S. Brickwood,*
Secretary.

— No. 88. —

COPY LETTER from *W. W. Willink*, Esq., the Secretary of the West India Relief Commissioners, to the Commissioners in Aid, in Dominica.

Belle Vue Fortuné Estate, Dominica.

To the Lieutenant-Governor and the other Commissioners acting in Aid of the Commissioners appointed by or under the Statute 2 & 3 Will. 4, c. 125.

West India Islands Relief.

(Dominica.)

Public Works Loan Office, South Sea House, London,
16 January 1855.

Gentlemen,

IN 1840 this Board advanced to Mr. François Giraud and Miss Rosette Giraud, 500 *l.*, on security of Belle Vue Fortuné Estate, in the island of Dominica.

An offer has recently been made by Mrs. Giraud to pay 70 *l.*, in full discharge of the principal sum advanced, and all interest which has accrued thereon, but such offer the Lords of Her Majesty's Treasury have declined to accept, and have required an estimate to be obtained of the present value of the estate. I am therefore to request that you will obtain, and forward to me at your earliest convenience, an estimate by competent, disinterested parties, of the present value of the estate, if offered for sale by public auction, deducting the expenses of the proceedings for bringing the estate to sale, and consequent thereon.

Also your opinion and report as to the probability of a purchaser being forthcoming at the net estimated value, or at any and what other price.

I am, &c.
(signed) *W. W. Willink*,
Secretary.

— No. 89. —

COPY LETTER from *W. W. Willink*, Esq., to *James Wilson*, Esq., M.P.

Richmond Estate, St. Vincent.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
19 January 1855.

Sir,

I AM directed by the West India Islands Relief Commissioners to acknowledge the receipt of a letter from Mr. P. Cruikshank to yourself, dated 3d instant, inquiring if the Lords Commissioners of Her Majesty's Treasury would be pleased to authorise that the necessary plantation stores might be sent out, and that the cost of the same should be made a charge against the value of the property, which letter has been referred to this Board.

In answer to Mr. Cruikshank's application, I have the honour to report, that a similar application was made by him to this Board, and that on the 30th ultimo he was informed that the Commissioners declined to authorise the sending out of stores as a charge against the estate, because the Acts of Parliament regulating their proceedings do not authorise them to consent to any claim being paid out of the property in priority of the Crown's mortgage.

I have, &c.
(signed) *W. W. Willink*,
Secretary.

— No. 90. —

COPY LETTER from *G. H. Hawtayne*, Esq. the Secretary of the Commissioners in Aid in St. Vincent, to *J. S. Brickwood*, Esq.

West India Islands Relief.

Government House, St. Vincent,
Sir, 24 January 1855.

I BEG to acquaint you, for the information of the Commissioners in England, that at a meeting of the Board of Commissioners in Aid at St. Vincent, held on the 16th instant, his Excellency Edward John Eyre, Esq., the Lieutenant-Governor, took his seat at the Board as Commissioner, and that at the same meeting I was appointed Secretary to the Board in the place of Mr. George D. Beresford, who has accompanied the late Lieutenant-governor as his private secretary.

2. I have also to inform you, that the Board having decided that an irregular course had been adopted in conducting the correspondence by and in the name of an individual member of the Board, instead of by the Board through its Secretary, the Commissioners in Aid have resolved that all future communications from the Board shall be addressed to the Commissioners in England in the name of the Secretary, and shall be only sent after having been approved by the Board.

3. I received by the mail which arrived here on the 29th December last, the letter of the Commissioners in England to the Board in Aid, dated the 1st December 1854, forwarding various documents relative to Lot 14, Rabaca, Grove, and Spring Estates; and I have to acknowledge the receipt also of your letters dated the 30th December and 31st December 1854, and 1st January 1855, by the mail, on the 22d instant.

4. With reference to your letter of the 31st December 1854, stating that certain sums had been allowed as a remuneration to Messrs. Cowie and Bascom, the valuers, and to Mr. Creaser, the late Secretary to the Board, I am desired by the Board to request you to furnish me with the form in which the bills for these sums are to be drawn, and to inform me as to the parties on whom they are to be drawn.

5. I am desired also by the Board to inquire further what arrangements are contemplated to meet the future local expenses necessarily incidental to their acting on the instructions from the Commissioners in England.

Amongst the first of these expenses it will be necessary to make provision for the payment of the Secretary; the Board would recommend that such provision should be by fixed salary, and that, adopting the proportionate rate of payment allowed to Mr. Creaser, and in consideration that the duties will in future be much more onerous than heretofore, the amount of such salary should be fixed at not less than 100*l.* per annum, exclusive of an allowance for stationery.

Next in order will come the legal expenses consequent on the proceedings to be taken at the suit of the Crown; and, as the Commissioners in England are in possession of the amount of these expenses in Jamaica, they will be enabled to form a fair estimate of the probable expenses here.

The Board consider it important to bring under the notice of the Commissioners that the legal expenses incurred through the solicitor may be very heavy, and they would suggest that it would be a much more economical course to assign a fixed annual salary to that officer in lieu of all charges, excepting money actually paid out of pocket.

The Board advise that a decision should be come to on this point with as little delay as possible, and, if concurred in, that the amount should be named by the Commissioners, which they consider as an adequate rate of remuneration.

The Board particularly urge upon the Commissioners the necessity for immediate information as to the form and mode of drawing for these various expenses, and they would suggest that power be given to the Lieutenant-governor to draw from time to time for such sums as may be required to meet the current expenses, as it is impossible to furnish in advance a correct estimate of what those expenses are likely to be.

6. In

6. In reply to your letter of the 30th December, and with reference to the letter of Mr. Cruikshank, a copy of which you enclose, I am directed to state, for the information of the Commissioners in England, that the Board in Aid do not consider the depreciation in value of the Richmond Estate from cholera to be so great as the Commissioners have been led to suppose, and certainly not sufficient to justify the expenses of a second valuation, a course which, if pursued in this instance, would involve the necessity for a reappraisement of other estates, and that the Board in Aid feel it their duty to recommend the Commissioners not to compromise the debt on that estate for a less sum than 4,000 *l.*

With the view of carrying out the instructions of the Lords of Her Majesty's Treasury, communicated in your letter of the 1st of January 1855, that the Board should take steps to prevent any extension of the practice of persons purchasing portions of the mortgaged estates, the Board have directed their solicitor to issue notices that parties should lodge, within two months from this time, with the solicitor of the Board, a memorandum of the date of purchase, extent of land purchased, and amount of money, and to whom paid, for lots which may have been purchased on estates subject to the Government mortgages under the Hurricane Loan Acts, and cautioning persons against buying property on such estates on and after the 24th January 1855, as no purchase made after such last-mentioned date will be recognised.

Common justice seems to have required that the period for recognising the titles to lands parted with should be extended from the date fixed by the Lords of Her Majesty's Treasury to the date of issuing the notices in the colony, inasmuch as no opportunity has hitherto existed for such parties being made aware that all such sales were actually illegal, and that no future ones will be recognised.

This notice the Board believes will have the effect of preventing any more such sales taking place.

The Attorney-general has been requested to give his opinion on various difficulties which have arisen in proceeding to a sale of mortgaged estates, and to take such steps as may be necessary to carry out the instructions of the Commissioners in England.

I am, &c.
(signed) *George H. Hawtayne*, Secretary.

— No. 91. —

COPY LETTER from *W. W. Willink*, Esq , to Lieutenant-Governor Major *Blackall*, Dominica.

Gomier Estate, Dominica.

West India Islands Relief.

Public Works Loan Office, South Sea House, London,
Sir, 30 January 1855.

I HAVE the honour to enclose a copy of a letter from Mr. W. F. Stewart, dated Dominica, 27 December 1854, proposing to compound the loan of 600 *l.* on Gomier Estate in that island, by payment of 100 *l.*, and I am to request you will favour this Board with your opinion as to the present value of the estate, and the expediency of accepting or rejecting that offer.

I am, &c.
(signed) *W. W. Willink*, Secretary.

Enclosure in No. 91.

Sir, Dominica, 27 December 1854.

WITH reference to your late communications regarding the loans granted to the unfortunate planters of this island, I am desirous of compromising for that granted to me on the security of my little property called Gomier. The failure of the coffee production induced me to erect small works for the cultivation of sugar, absorbing all my small means; but, owing to the unremunerating price of the latter, I became further involved, and was compelled to abandon all idea of carrying on the cultivation, and the property is now in an absolute state of abandonment and ruin, the trifling and uncertain rental of the dwelling-

house being the only means of my subsistence. Under these painful circumstances, I respectfully offer to pay the sum of 100 *l.* sterling (One hundred pounds) as a compromise for the loan on the above property, and I have addressed myself to Messrs. F. and G. Garraway & Co., merchants, in London, to arrange the settlement for me, should your Board accept my offer.

I am, &c.
(signed) *W. F. Stewart.*

J. S. Brickwood, Esq.,
Secretary to the Loan Commissioners,
South Sea House, London.

— No. 92. —

COPY LETTER from Lieutenant-Governor of Dominica, Major *Blackall*, to *W. W. Willink*, Esq.

Colamber, Edgworthstown,
Sir, 6 February 1855.

I HAVE the honour to acknowledge the receipt of your letter of the 30th January, enclosing copy of a letter from Mr. W. F. Stewart, of Dominica, and requesting that I would state my opinion of the present value of the Gomier Estate, and the expediency of accepting or rejecting the offer of 100 *l.* in payment of the loan of 600 *l.*

In reply, I beg to state that the Gomier Estate has been out of cultivation for many years; but having a moderately good dwelling-house upon it, the climate being very agreeable at that elevation, Mr. Stewart has for many years been enabled to let the estate and house for 60 *l.* per annum to Mr. Gordon.

I believe Mr. Stewart is quite correct in stating that this was all he had to depend upon for the support of himself and his family.

Mr. Gordon has how left the island, and Mr. Stewart has lost his tenant; he is not likely to obtain another, and though I have no doubt the estate, if put in the market, would realise more than 100 *l.*, I think, considering Mr. Stewart's reduced circumstances, and the leniency shown in other cases, the Commissioners might fairly accept this compromise.

I have, &c.
(signed) *Saml. W. Blackall.*

WEST INDIA ISLANDS RELIEF.

COPY of CORRESPONDENCE, since 1 January 1854, relative to ESTATES in the West Indies INDEBTED to GOVERNMENT for ADVANCES made to them by reason of LOSSES sustained in the HURRICANES of 1831–2.

(*Mr. Hamilton.*)

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